

RIDERS FOR JUSTICE

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<http://www.ridersforjustice.com>

OCTOBER 2003

Bits and Picks from the West V.P.

By Carl Dodson

The first meeting is done and to those in the outlying areas that were not at the meeting, here is what went on. The first thing on the agenda at the meeting is that your dues are due in October and also the election of officers happens. You will have to be there if you want to make a nomination or vote. Second thing is a membership drive starting in Oct. and ending Jan. of 2004. There will be a first place prize of a gift certificate for \$75.00 and the runner up will get a one year membership to RFJ.

All you have to do is cut the RIDERS FOR JUSTICE membership renewal form out of the newsletter on page 11 and make as many copies as you think you need. Be sure you put your name on the bottom of the ad so you get credit for the new sign up and then mail it to us at: RFJ Western, P.O. Box 1192, Clifton, Co. 81520-3473. You do not need to be present to win. But you need to be paid up on your membership so you can get credit for the new signups. For those in outlying areas, you can use the RFJ renewal form in the paper to submit your dues and get them mailed to us at the above address. On the same subject of new members, it was suggested that we might look into putting an ad in the Southwest Scooter News paper. This will be up for discussion at the next meeting as to the expense of the ad and the feasibility of the project.

We then talked about the fun to be had at the Green Bridge party. I was told this has not been done since the late 80's. By the time the paper is printed, it will be over because it is set for Oct. 4th due to fact there might be a weather change. It's going out by word of mouth to let as many people know as can be told.

On the home political front there is nothing to get excited about. This is way to quiet and that has got me a little concerned. But on the federal level it is a different story. Thanks to Miles France, from MRF, who was at our meeting with an update as to what is going on with the EPA law and the biker health insurance law. What sounds interesting to me was that the EPA law has been put up for a vote, but nobody wants to open Pandora's Box to bring it for a vote.

In closing, while up at Sturgis, I was approached by two Rolling Thunder Riders out of California. They asked about my RFJ patch on the front of my vest. They wondered what it was. I told them that RFJ of Colorado is to the motorcycle enthusiast what NRA is to the sportsman. Bring a friend to the meeting - Carl

Notes from the East

By Lucky

As we proceed into the "second millennium," many predictions will come to pass. Just as Jules Verne prophesized submarines, and moon landings, there will be more things to reconcile with. Already the future is pressing us on to less individual rights, political correctness means the loss of our first amendment "privileges," and if the *patriot act* goes through, you can bet that the fourth amendment is history. We are being manipulated by "Big Brother" already, and if you don't believe it, open your eyes!

There are several things taking place that you may or may not

be aware of. Such as project Eschelon. The government has been listening to you for several years now! Through your phone, cell phone, and computer. All of these appliances are scrutinized by government computer banks by recording your conversations when certain key words are picked up. Spy files still exist, and you may be on them! If you have been in the military, there are spn numbers that tell everything about you. Satellites can now take images as close as one square meter of your back yard. Even this newspaper and some of our members have been checked out by the NSA, CIA, CBI, and the FBI. If this sounds a little Orwellian, well it is. I guess that is prophecy. What's next? A secret program consisting of special antennae that not only can pick up and scan our brain waves, but can also alter them, creating total mind control?

In the next few years, the air cooled engine will go the way of the eight track, vinyl records, and soon even CD's. Yes, no matter how hard we try, the EPA just won't listen. Our efforts have gone to no avail. They will do as they wish, and the manufacturers are going right along with them! And why not? They have nothing to lose, and they can cut out the little guy. No more competition to deal with! How convenient for big business. This will kill the little guy, the Mom and Pop businesses that helped build this great nation! Big business and big government will eventually stifle this country.

Campaign finance reform is a joke, and so is this Homeland Security crap. All this will do is screw the Constitution over big time. Let's just spy on each other, and to hell with the first and fourth amendment! I believe homeland security is already covered by the Constitution. It is called the Second Amendment! Everyone, except the mentally impaired and convicted felons should be armed! I seriously doubt that someone would be stupid enough to try to mug you if they thought you were packing! Terrorists would think twice before hijacking a plane. Even Admiral Yamamoto during the Second World War knew better than to try invading the mainland. He said there were too many people in the private sector that had weapons. When tyranny knocks at our back door, we have the unalienable right to quell it.

When I was growing up, it was nothing to take my .22 rifle, strap it to my bike and do a little hunting on the way to and from school. I would make sure it was unloaded and put away carefully when I got to school. Nobody was outraged; it was just a way of life. Then they had hunter training classes, and they taught us to respect our weapons and treat them accordingly. Not like today, were they teach fear, guns are bad, M'kay. Left wing Socialist propaganda has run rampant in our schools for years. So let us try to get this country back on track Lets teach the Constitution, and the Bill of Rights, and common sense. And what's wrong with saying the Pledge of Allegiance? It only propagates a sense of patriotism towards a symbol of our nation.

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RIDERS FOR JUSTICE MEETINGS

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"Individual rights are not subject to a public vote; a majority has no right to vote away the rights of a minority; the political function of rights is precisely to protect minorities from oppression by majorities (and the smallest minority on earth is the individual)." — Ayn Rand

**RFJ OFFICER ELECTIONS IN OCT!!
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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.

Once again, Colorado legislature is introducing the triple threat bill. A seat belt as primary offense, open container, and the almighty .08 b.a.c. These idiots don't give up! We postponed indefinitely SB-125 last term. Please write your rep. We will not succumb to Federal bribery!

Well folks, I guess that is my rant for this month. I would like to remind you that October is when membership dues are up for renewal. And also we need to vote on officers. The Secretary-Treasurer position is available, as Deb is stepping down. Anyone interested in any position, please feel free to throw your hat into the ring. We are a democratic organization.

Thanks to everyone that showed up for the RFJ poker run over here on this side of the mountains. All had a good time while raising money for a good cause.

With that behind us, here is the quote of the month. "But what is government itself, but greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls would be necessary." -- James Madison 1788

AMA CALLS FOR MORE TRAIL MAINTENANCE IN U.S. FOREST SERVICE USE OF RECREATION FEES

The American Motorcyclist Association told a congressional subcommittee that the U.S. Forest Service needs to spend more money it raises from recreation fees on trail maintenance.

In testimony before the U.S. House Subcommittee on Forests and Forest Health on Wednesday, September 17, AMA Senior Legislative Assistant Patrick Holtz pointed out that land managers in some national forests are using the fee money for operations and services rather than spending it on much-needed trail rehabilitation.

He was testifying on a proposal to make the Recreation Fee Demonstration program, which involves collecting fees for using public federal land, a permanent program. The demonstration project is set to expire on Sept. 30, 2004.

Congress authorized the Recreation Fee Demonstration program in 1996 for the U.S. Forest Service, National Park Service, federal Bureau of Land Management and the U.S. Fish and Wildlife Service. The purpose was to collect money to maintain and improve natural resources, recreation facilities and services on federal land.

The U.S. Forest Service is currently collecting fees in 114 national forests and grasslands in 36 states and Puerto Rico.

Holtz told the committee that a U.S. General Accounting Office report this year noted that the Angeles and San Bernardino national forests spend 80 percent of their recreation fee money on visitor services, operations, maintenance of facilities, and for providing interpretive services, rather than addressing deferred trail maintenance needs.

"This is meritorious, but shouldn't land managers address the specific long-term needs of those who are paying the fees?" Holtz asked.

He said the AMA could support making the Recreation Fee Demonstration program a permanent program provided certain conditions are met. The fees must be collected to recover costs, and must be used at the area where they are collected, he said. Also, the administrative costs must be held down, paying the fees must be convenient for the land users, and federal, state and local fees should be combined where appropriate.

"The Recreational Fee Demonstration Program has enormous potential to enhance recreation opportunities," Holtz testified. "But, to be successful, it has to receive full public support. In order to receive that support, the Forest Service must think boldly and implement a fee system that efficiently accounts for its deferred maintenance needs, rewards land managers who work on those needs, and provide a coherent and integrated experience for the user." -- <http://www.ama-cycle.org>

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Click it or ticket

By **Walter Williams**

September 10, 2003

Imagine you're having a backyard barbeque. A cop walks in and announces, "This is a random health and safety check to see whether you've removed the skin from the chicken before you served it." Though delicious in taste, we all know that chicken skin contains considerable unhealthy fat. If you're caught serving chicken skin, the cop gets your ID and issues you a \$50 ticket.

If something like this were to occur, most Americans—I hope—would see such an action as ludicrous, offensive and a gross violation of our liberties. But not so fast. Let's think about it. Each year, obesity claims the lives of 300,000 Americans and adds over \$100 billion to health-care costs. Doesn't that give government the right to dictate what we eat? If you're the least offended by the notion of government dictating our diets, pray tell me how it differs in principle from seatbelt laws and especially the new federal enforcement program called "Click It or Ticket."

Under the Transportation Equity Act for the 21st Century, the federal government is spending \$500 million to aggressively enforce seatbelt laws. According to a July Consumers Research article written by Eric Peters titled "The Federal Government Wants You to Buckle Up," about 11,000 law enforcement agencies across the country have set up random checkpoints and have issued hundreds of thousands of tickets to unbelted drivers and passengers.

Just as in my barbeque scenario, their justification is our health and safety. After all, the 2002 highway death toll was 42,815 and, according to a U.S. Department of Transportation National Highway Traffic Safety Administration (NHTSA) study, "The Economic Impact of Motor Vehicle Crashes on America's Roadways," seatbelt usage could have prevented an estimated 9,200 fatalities.

"Click It or Ticket" represents another bold step along the road to serfdom. History knows of no totalitarianism agenda where noble goals weren't used as justification. Nazis used "for the good of the German Volk" and the Soviets used "for the good of the proletariat" as their justification. Health and safety have become the American justification for attacks on liberty.

In a free society, each person owns himself. As such, he has the broad discretion to make his own choices regardless of what others think of the wisdom of his choices. He has the right to take chances with his own health and safety. However, if an American doesn't own himself, and it's Congress that owns him, he doesn't have those rights. Thus, the "Click It or Ticket" program is simply Congress' way of caring for its property, the American people.

Whether seatbelt usage is a good idea is beside the point, for daily exercise, nutritious meals, eight hours sleep, and cultural and intellectual enrichment might also be good ideas. The point is whether government has a right to coerce us into taking care of ourselves.

If eating what we wish is our business and not that of government, then why should we accept government's coercing us to wear seatbelts? America's tyrants might answer, "We just haven't gotten around to dictating diets yet."

Some might argue, but falsely so, that the problem with people exercising their liberty to drive without seatbelts, ride motorcycles without helmets or eat in unhealthy ways is that if they become injured or sick, society will be burdened with higher health-care costs. That's not a problem of liberty but

one of socialism.

There's no liberty-based argument for forcing one person to care for the needs of another. Under socialism, one is obliged to care for another. A parent-child relationship emerges between the citizen and the government. That was not the vision of our Founders.

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EPA Responds to Congressional Letter Regarding Motorcycles

<http://www.mrf.org>

The Environmental Protection Agency (EPA) responded to the May 28, 2003 letter written by U.S. Reps. John Shimkus (R-Illinois) and Ted Strickland (D-Ohio), signed by 44 other Members of Congress, on questions regarding the impending rulemaking on new motorcycle emissions standards.

Most noteworthy is EPA's reasoning for excluding the motorcycle industry's independent shops and aftermarket suppliers in the rulemaking process. The Regulatory Flexibility Act ("RFA"), as amended in 1996 by the Small Business Regulatory Flexibility Act ("SBREFA"), requires federal agencies to tailor their regulations to fit the needs and capabilities of small business. The agency asserts it was correct to dismiss independent shops, citing case law that states, "An agency is under no obligation to conduct a small entity impact analysis of effects on entities which it does not regulate [Motor & Equipment Mfrs. Ass'n v. Nichols, 142F. 3d 449, 467 (D.C. Cir. 1998)]."

That case, however, was brought on behalf of engine and parts manufacturers, not vehicle manufacturers. "This rule would promulgate requirements only on manufacturers of new motorcycles," EPA continues. "Precisely," responds Tom Wyld, VP-Government Relations, Motorcycle Riders Foundation (MRF). "And independent shops are 'manufacturers of new motorcycles.' MRF and its partners have argued for more than three years that independent shops are the smallest of small volume makers, have dramatically unique needs as compared to larger entities, and deserve what little protection is offered them under the SBREFA umbrella."

"Independent dealers, shops and aftermarket parts suppliers and end-users are not directly regulated by the rule," EPA claims, adding that it expects "no significant effects, even indirect ones, on these entities." Visit the MRF website at <http://www.mrf.org/positionpapers.php> to view the letter from Congressmen Shimkus and Strickland, as well as EPA's full response.

Ducking under the semantics

of "not directly regulated" is a common federal regulatory tactic - one that Congress has heard before. In testimony before the House Small Business Committee in March 2002, an expert on SBREFA compliance stated "agencies are still attempting to avoid or defeat RFA requirements...[specifically] Agencies often claim that their regulations do not directly impact small entities..." The case cited by the expert? Motor & Equipment Mfrs. Ass'n v. Nichols.

The Motorcycle Riders Foundation has requested an emergency meeting with the Executive Office of the President to address these and other pressing concerns regarding the EPA's proposed rulemaking.

COAST TO COAST BIKER NEWS

Compiled & Edited by **Bill Bish**, National Coalition of Motorcyclists

CONGRESSMAN CHARGED IN BIKER'S DEATH: South Dakota Congressman Bill Janklow has been charged with second-degree manslaughter in the deadly crash that claimed the life of 55-year-old Minnesota motorcyclist Randolph Scott when the legislator ran a stop sign at a rural intersection near Sioux Falls on Saturday, August 16. Police investigators determined that Rep. Janklow's Cadillac proceeded through the intersection at speeds estimated between 70-75 mph in the 55 mph zone, and continued into the path of Scott's Harley-Davidson without stopping, giving the rider no chance to avoid the fatal collision.

Janklow, 63, has a long history of speeding, and his driving

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exploits have been near legendary in his home state during his many years of public service. At one point during his 30-year political career, the four-term governor racked up 12 speeding tickets in four years.

Janklow served as attorney general from 1974-78 before being elected to four terms as governor, from 1979-1986 and 1995-2002, and was elected to the state's lone House seat last year. During his tenure as governor, the pugnacious Republican was credited with elevating the Sturgis rally into a tourist attraction, and in 2001 he was inducted into the Sturgis Motorcycle Museum Hall of Fame.

In addition to the felony manslaughter charge, which carries a maximum penalty of up to ten years in prison and a \$10,000 fine, Janklow has also been charged with failure to stop, speeding and reckless driving, the latter charges being misdemeanors.

The charges brought against Janklow represent the maximum allowable under South Dakota state law, and if convicted of manslaughter he would lose his authority to vote in the U.S. House of Representatives under terms of the House Ethics Rules.

NEVADA COURTHOUSE CANNOT BAN BIKER GARB: A federal judge has permanently struck down Carson City Courthouse rules that prevented bikers from wearing their insignia or "colors" into the courthouse. The decision by U.S. District Judge Philip Pro finalized the preliminary injunction he granted last October against the First Judicial District Court in Carson City, Carson City Justice Court and other officials.

"It's a huge victory for motorcycle clubs," said Richard Eckhardt of Sparks, president of His Royal Priesthood, a Christian-based biker group that belongs to the Northern Nevada Confederation of Clubs, which initiated the lawsuit.

Eckhardt and nine other bikers were cited for trespassing at the Carson City courthouse on March 26, 2001 for refusing an order from court security officers to either remove their motorcycle jackets or leave the public building. They were among the 35 or more motorcycle riders who showed up at the courthouse that day in support of two Branded Few Motorcycle Club members who had been arrested two weeks earlier on the same charge.

The initial incident involved bikers Scot Banks and Steve Dominguez of Reno, who went to the courthouse to contest a traffic citation but were told by security officers that they couldn't wear their swastika-decorated colors inside. They were arrested for criminal trespassing and their vests were confiscated after they refused the officers' ultimatum.

But Carson City District Judge William Maddox told the Reno Gazette-Journal that while the ruling restricts a broad ban on wearing biker insignia into the courthouse, judges could still dictate what people can or cannot wear in their courtrooms. Pro noted in his decision that judges have the power in particular cases or circumstances to restrict what

people wear.

"A judge is like the proverbial 800-pound gorilla who can do whatever he pleases within his own courtroom," explained Richard Lester, founder of Aid to Injured Motorcyclists, whose group of nationwide civil rights attorneys were party to the ensuing lawsuit. Lester referred to a recent incident in Utah where a judge barred members of Bikers Against Child Abuse (BACA) from wearing their colors into the courtroom during the trial of an accused child molester.

In making the injunction permanent, Pro also granted summary judgment to the thirteen bikers who filed suit in federal court to overturn the courthouse rules, allowing them to collect legal fees and damages.

"The First Amendment is alive and well, fortunately, but people are still trying to attack its freedoms on a daily basis," said Reno lawyer Don Evans, who represented the 13 plaintiffs. Evans is the Aid to Injured Motorcyclists (AIM) attorney for Northern Nevada and serves as legal counsel to the Northern Nevada Confederation of Clubs.

WISCONSIN "ANTI-HELMET" BILL HEARD: Wisconsin State Senator Dave Zien is a long time biker, a founder of the bikers' rights movement in Wisconsin and an active member of the National Coalition of Motorcyclists' Legislative Task Force (NCOM-LTF). So it's no surprise that when Wisconsin's high court recently ruled that an injured ATV rider's damage award could be reduced by up to 100% because he wasn't wearing a helmet, Senator Zien stepped up to protect street riders from suffering a similar fate.

On August 26 Zien returned from a Guinness World Record ride through 48 states in eight days to testify in favor of Senate Bill 223, which he sponsored along with six other state Senators and seventeen state Representatives. The bill would prevent courts from reducing damages awarded in lawsuits based on whether the driver of a motorcycle, all-terrain vehicle or snowmobile was wearing a helmet when an accident occurred. The legislation would effectively nullify the 2002 state Supreme Court decision in Stehlik v. Rhoads that upheld a jury's authority to consider helmet use in awarding damages, according to the Legislative Reference Bureau analysis of the proposal.

The bill does, however, allow the introduction of such evidence in cases against a helmet manufacturer for any alleged product or design defect, or to determine whether a helmet contributed to the personal injury or property damage suffered by another person.

Wisconsin does not have a law requiring adult motorcyclists to wear helmets, but the court's decision created its own de facto helmet law by penalizing riders who don't wear helmets, said David Dwyer, legislative chairman for ABATE of Wisconsin. Dwyer told the Milwaukee Journal newspaper that the court decision penalizes motorcyclists injured in accidents, even if others are clearly at fault.

Zien remains convinced that helmets contribute to accidents by reducing head mobility, vision and hearing. "I will go to the grave believing that helmets should be freedom of choice and that helmets, in my opinion, cause accidents," Zien, an Eau Claire Republican, said.

The Wisconsin legislature repealed its mandatory helmet law in 1978 after overriding a gubernatorial veto.

"This legislation is necessary to protect those who ride and those who exercise their right to choose whether or not to wear a helmet," Zien said. "Let's let those who ride decide and not allow the court system to implement another mandatory helmet law."

The bill received a public hearing in the Senate Committee on Judiciary, Corrections and Privacy Aug. 26. The committee has not yet voted on a decision.

MOTORCYCLE SAFETY EFFORT NEEDS YOUR HELP: United States Senator Ben Nighthorse Campbell (R-CO) has introduced a resolution in Congress to designate May 2004 as National Motorcycle Safety and Awareness Month, but your help is needed to get the measure adopted. Please contact your U.S. Senators and request that they support Senate Resolution 168, and make our federal legislators aware of motorcyclists' overwhelming support for this effort.

Although virtually every state and major municipality has issued "Motorcycle Awareness" proclamations over the past several years, no such Congressional resolution has ever been passed to bring national awareness to motorcycle safety.

"Motorcycles have become a big part of the American landscape and occupy a very important position in the history of this nation," said Campbell in introducing S.RES.168, adding that "As we continue to move through the riding season, I will continue to work with my colleagues here in the Senate and motorcycle rights groups such as the National Coalition of Motorcyclists, the American Motorcycle Association, Motorcycle Safety Foundation, ABATE, and the Motorcycle Riders Foundation to find solutions to educate the general motoring public about motorcycle safety and awareness. This resolution is a strong, positive step in the right direction to help achieve this goal."

Campbell has been riding for more than 50 years and has been a champion for motorcyclists' issues on the federal level, including serving on the NCOM Legislative Task Force.

NEW YORK ENACTS "LEMON LAW" PROTECTION FOR MOTORCYCLES: Governor George E. Pataki has signed legislation aimed to include motorcycles in the state's "Lemon Law" protections against faulty and defective vehicles.

According to ABATE of New York, the new Motorcycle Lemon Law (companion bills S.4500 and A.5218) will give all buyers of motorcycles the same consumer protections that automobile buyers have. Montana passed a similar law earlier this year.

MOTORCYCLE SALES TAKE OFF IN JULY: Motorcycle sales rose 20 percent in July compared to the same month last year, according to figures recently released by the Motorcycle Industry Council, as improved weather in the Midwest and East Coast spurred sales that had been stagnated by rain earlier in the year.

Harley-Davidson, Honda, Yamaha, Suzuki, Kawasaki and other motorcycle manufacturers sold 99,634 motorcycles and scooters in July 2003, a welcome jump from the 83,034 units sold during the same time frame in 2002. Sales of "on-highway" models, a segment of the industry dominated by Harley cruisers, also rose 20 percent to 69,082.

Wet weather earlier in the year contributed to a 3.2 percent decline in Harley-Davidson's first-quarter domestic sales, the Motor Company's first such drop in U.S. sales since 1994.

WEIRD NEWS OF THE MONTH: NO NUDES IS GOOD NUDES: The threat of scrapes and bruises, not to mention sunburn, didn't stop the fledgling North American Nude Bikers club from holding its first rally over the July 26-27 weekend.

Events at the Rock Haven Lodge Family Nudist Park near Murfreesboro, Tennessee included a barbecue, live music,



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Continued from page 4

bike games and a poker run—where bikers vie for the best hand by drawing cards at stops along the way. They don't actually ride naked. Mostly.

"You've got to be real careful or you're liable to get something burnt or hurt," club Vice President Allen "Anchor" Turner told the Associated Press. Turner, 46, came up with the idea for the group last November.

Participants said the values of trust, respect and freedom are common to both nudists and bikers. "It's all about living a freer lifestyle," said Turner, who has been a biker for 15 years and a nudist for five.

When not astride their choppers, the bikers mixed with the rest of Rock Haven's members and visitors by swimming in the pool, playing volleyball and soaking up the sun.

Turner said he wanted to dispel the myth that the nudist culture was perverse. "This is a family park," he said; "Anyone perpetrating lewd shenanigans in public areas is immediately booted out."

AMA News & Notes for the Politically Motivated Motorcyclists

October 2003 - www.ama-cycle.org

Michigan's ATV-safety training program, which is funded by vehicle registration fees, has been saved. The enacted version of Senate Bill 574, authored by Sen. Burton Leland (D-Detroit), transfers responsibility for the off-road vehicle safety education fund to the Department of Natural Resources and Environmental Protection. Earlier this year, Gov. Jennifer Granholm (D-Northville) had proposed to eliminate the program from the Department of Education, as part of her FY 2003-04 budget proposal.

ABATE of Massachusetts, Inc., and the Massachusetts Motorcycle Association (MMA) approved and signed an AGREEMENT dated July 31, 2003, where ABATE of MA would cease operations effective December 31, 2003, as a 'member based' organization, incorporating its members into the MMA.

"After taking over as Director of ABATE of MA," says David Condon, "I found that our efforts overlapped with those of the MMA. Duplication at the State House was causing some confusion among the State Officials and their Staff, and was counterproductive in advancing our issues for the motorcyclists of this state."

Jimi Ricci, Chairman of the MMA, welcomed the unification of the two groups. "Like most states with more than one organization advocating motorcyclists' issues, that '2nd organization' starts when a few are disgruntled. The MMA has shown over the past two legislative sessions we are getting things done at the State House and in other government agencies, and working together will increase results vs. working separately."

Both organizations established a working committee which met over the past six months working on the terms of the Agreement. The MMA will maintain the rights to the ABATE of MA, Inc., name.

ABATE PAC (political action committee) will remain with new officers. It is expected the PAC will get a boost of activity and donations from MMA members in supplementing legislative efforts, especially enactment of the adult helmet choice bill, Senate, No. 1363, presently in the Senate Ways and Means Committee.

The full agreement is displayed on both organizations web sites (www.mma-of-ma.com and www.abateofma.com).

Wisconsin Assembly Bill 463, introduced by Rep. Mark Pettis (R-Hertel), an ATV rider himself, would allow ATV riders under the age of 12 to operate on private land and to participate in sanctioned events. Presently, a rider under the age of 12 can only ride on state ATV trails but not on private property – not even if it belongs to the youngster's family.

Roughly 50 race promoters, club leaders, and concerned families met with Karl Brooks, ATV Administrator from the Department of Natural Resources - Bureau of Law Enforcement, hoping to better understand the situation and offered suggested alternatives that the Wisconsin ATV Association (WATVA) could bring forward to state legislators to change this dated law.

The bill has been referred to the Committee on Tourism. Concerned riders can support the bill by writing to Mark Pettis, Chairman, Committee on Tourism, Capitol Building #18-W, Madison, WI 53708 or by contacting their state legislator at <http://www.legis.state.wi.us/waml>.

California State Parks will be conducting a fuel use survey in the upcoming months throughout the state. Participants will be asked questions regarding their fuel use and the results will be used to determine the OHV portion of the overall state gas tax revenue. The AMA encourages those contacted to participate in this survey.

Pennsylvania's House Bill 181, introduced by Representative Teresa Forcier (R-Titusville) to increase penalties for right-of-way violations that cause injury or death to other roadway users has stalled in committee. This bill is consistent with model legislation included in the AMA's Motorcyclists Matter campaign,

Your letter in support of HB-181 should be addressed to The Honorable Richard A. Geist, Chairman, House Transportation Committee, Main Capitol Building, Room 144, Harrisburg, PA 17120-2020. You may also contact Representative Geist in his Harrisburg office via telephone at 717-787-6419 or fax at 717-772-5142, or his district office in Altoona via tele-

phone at 814-946-7218 or fax at 814-949-7915.

An additional letter in support of HB-181 should be addressed to your representative at the Pennsylvania House of Representatives, Capitol Building, House Box 202020, Harrisburg, PA 17120-2020.

Your support for HB-181 is needed NOW to make sure Pennsylvania motorists and courts know that 'Motorcyclists Matter.'

Lyon County, NV commissioners recently approved a resolution in support of better management of an existing multiple-use recreation facility at Wilson Canyon. For several months, the Bureau of Land Management (BLM) had been under pressure by anti-access groups to close this popular camping site on the Walker River. The commissioners also asked for cooperating agency status pursuant to Council for Environmental Quality regulations.

Local pro-access interests, the Blue Ribbon Coalition, and the Friends of Wilson Canyon (FOWC) have offered solutions to the federal land agency to help with such issues as soil erosion, vehicle trespass, excessive sound, management, and possible implementation of the 96dBA sound limit for off-highway vehicles (OHVs).

To find out more about FOWC and to get a copy of the Lyon County resolution go to: <http://www.wilsoncanyonnv.org/>

Arizona OHV enthusiasts want to form a state-wide association to represent their interests with legislators and regulatory officials.

Along with Blue Ribbon Coalition, Motorcycle Industry Coun-

Continued on page 6

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cil and AMA, the National OHV Conservation Council hosted an August OHV summit and workshop aimed at creating a motorized coalition of user groups throughout the state.

Riders interested in joining this organization should contact Sanford Cohen, NOHVCC State Rep., 414 N. Fitzmaurice Dr, Prescott Valley, AZ 86303 or by email at sanford9@mindspring.com.

Illinois Governor Rod Blagojevich (D) amendatory vetoed Senate Bill 1804, which would have required that 85% (now, 60%) of the money from the Off-Highway Vehicle Trails Fund be used for motorized recreation. The Governor recommended that the motorized proportion of the fund be raised to 70%, rather than 85%. ABATE of Illinois fostered this initiative and is working to override the veto.

The National Highway Traffic Safety Administration (NHTSA) has released its Vehicle Safety Rulemaking and Supporting Research: Calendar Years 2003-2006.

The section on motorcycles includes a section entitled *Improve Motorcycle Safety* – where NHTSA outlines its desire to increase helmet usage as well as upgrade the Federal Motor Vehicle Safety Standard number 218 that establishes helmet testing procedures, including addressing comfort and labeling requirements.

The agency is considering undertaking a crash data collection effort that is jointly funded by the Offices of Traffic Injury Control, Applied Research, and Rulemaking. Then, the agency will initiate rulemaking to update international braking standards. NHTSA is also undertaking conspicuity research, and it published a Final Rule to reduce the minimum hand lever and foot pedal force for fade and water recovery tests in August 2001.

The document is online at <http://www.nhtsa.dot.gov/cars/rules/rulings/PriorityPlan/FinalVeh/Index.html>

New Jersey's Department of Environmental Protection (DEP) Commissioner Bradley M. Campbell is warning potential violators that regulations prohibiting off-highway vehicle (OHV) use on public lands are being strictly enforced.

The Department is pursuing zero tolerance with illegal operators, area enforcement sweeps, unregistered and uninsured vehicle impoundment, and maximum fines for all violators, resulting in fines of up to \$1,000 per violation. A total of 62 vehicles have been impounded, and 48 individuals were arrested and jailed this year.

Commissioner Campbell added that while illegal OHV use is not tolerated, the department supports the safe and proper use of OHVs in designated areas or during specially permitted events.

Acknowledging that proper OHV operation has a recreational value to a growing number of residents in the state, the DEP's new policy also calls for its Office of Natural and Historic Resources to develop appropriate recreational areas for lawful OHV use - while meeting the policy's safety and natural resource protection requirements. Two such facilities will be established and in full operation by 2005 according to DEP.

Michigan Senate Bill 321, introduced by Senators Cropsey, Barcia, Leland, Patterson, Prusi, Stamas, Jelinek, McManus and Schauer and referred to the Committee on Transportation, provides exceptions to requirement of wearing motorcycle crash helmet if successfully completed motorcycle safety course.

SB 321 aims at putting Michigan among the 31 other states

that have the long-standing fundamental belief of both AMA and ABATE of Michigan that adults should continue to have the right to voluntarily decide when to wear a helmet.

You can find all of your Senators contact information at <http://senate.michigan.gov/SenatorInfo/find-your-senator.htm>, or by mail at: Michigan Senate, State Capitol, PO Box 30036, Lansing, MI, 48909-7536.

Eco-terrorists declare war

By Michelle Malkin

<http://www.michellemalkin.com/>

As war unfolds, Iraqi sleeper cells and al Qaeda operatives aren't the only threats we face on the domestic front. Home-grown environmental radicals cast their own fatwah on America last week. And they're not just talking about lighting tea candles while they sing Bob Dylan tunes in their Birkenstocks.

These anarchist menaces are deadly serious about undermining national security through physical and economic harm.

In a manifesto published last week across left-wing Internet sites, infamous eco-thug Craig Rosebraugh called on his anti-war troops to take "direct actions" against American military establishments, urban centers, corporations, government buildings and media outlets.

This is not an idle threat. Mr. Rosebraugh is former spokesman for the Earth Liberation Front, a violent guerrilla group. Along with its militant ally, the Animal Liberation Front, ELF has claimed responsibility for a long string of arsons and vandalism, causing tens of millions of dollars worth of destruction, involving: crop experiments and test fields at university research centers in the Midwest; fur farms in the Pacific Northwest; meat vendors in the San Francisco Bay area; and department stores on the East Coast.

ELF also takes credit for arsons at a ski resort in Vail, Colo., inspiring four teens to torch housing developments in Long Island, and recently, firebombing sport utility vehicles at an auto dealership outside Erie, Pa.

Fed up with pansy peace march efforts, Mr. Rosebraugh is urging radicals to ditch "pointless" protests and wage outright acts of terror "using any means necessary." Already, in cities from Washington, D.C., to San Francisco, anti-war obstructionists have disrupted traffic and commerce, tying up precious law enforcement resources.

I am reprinting much of Rosebraugh's rallying cry to his America-hating leftists so you know exactly what we are up against:

(1) *Attack the financial centers of the country. Using covert or black block techniques ... physically shut down financial centers which regulate and assist the functioning of U.S. economy. This can be done in a variety of ways from massive property destruction, to online sabotage, to physical occupation of buildings.*

(2) *Large-scale urban rioting. With massive unrest and even state of emergencies declared in major cities across the country, the U.S. government will be forced to send U.S. troops into the domestic arena, thereby taking resources and political focus away from the war.*

(3) *Attack the media centers of the country. ... Using any means necessary, shut down the national networks of NBC, ABC, CBS, CNN, etc. Not just occupations but actually engage in strategies and tactics which knock the networks off the air.*



(4) *Spread the battle to the individuals responsible for the war and destruction of life - the very heads of government and U.S. corporations. No longer should these people be able to hide behind their occupations, living their lives in peace while they simultaneously slaughter countless people. Hit them in their personal lives, visit their homes, and make them feel personally responsible for committing massive atrocities.*

(5) *Make it known publicly that this movement does not support U.S. troops as long as they are serving an unjust and horrifying political regime. Create an atmosphere lacking of support to assist U.S. troops at home and abroad in losing their morale and will to fight. If you are supporting the troops, you are supporting this war and the very U.S. government that is the primary terrorist regime in the international arena.*

(6) *Actively target U.S. military establishments within the United States ... use any means necessary to slow down the functioning of the murdering body.*

(7) *When engaging in the above six activities, strike hard and fast and retreat in anonymity. ... Do not get caught. Do not get sent to jail. Stay alert, keep active, and keep fighting. Remember, an action is only good (especially at this juncture in U.S. society) if it will serve to severely disrupt the political system of the country, its economy, and the corporate interests that drive this society.*

These green saboteurs aim to destroy our livelihoods and our military in the name of "peace." Our government must treat them as enemy combatants, not misguided imbeciles, and use any means necessary to stop them in their terrorist tracks.

Coexist with smokers? We're not that tolerant

By Jon Caldara

Boulder was one of the first cities in Colorado to pass draconian smoking restrictions for bars and restaurants. The latest victories for the lifestyle Nazis have been in Fort Collins, and after the vote last Tuesday, Pueblo. Denver is due to fall very shortly.

As a non-smoker, I must admit I have personally benefited from Boulder's ban. (Let me also state that if you are a regular smoker, you are an idiot, and it's not the government's job to protect you from your own stupidity. Darwin has a way of sorting that out.) It's great knowing that I can go to any bar or restaurant in Boulder and not be offended by rude smokers. It's great coming home without my clothes stinking like an ashtray.

But I would also benefit from any regulation that forced private establishments to bend to my tastes. It offers me more choices by eliminating options for those with different preferences. The tyranny of the majority is no problem, so long

And although many would like it to be otherwise, tobacco is still legal. So the major argument for banning it in private businesses has become workers' safety. "Environmental," or second-hand, smoke is widely presented, and accepted, as a danger.

However, experts do disagree. A recent study just published in the British Medical Journal tracked more than 35,000 non-smoking Californians whose spouses smoked since 1959. Their conclusion: "The results do not support a causal relation between environmental tobacco smoke and tobacco-related mortality, although they do not rule out a small effect. The association between exposure to environmental tobacco smoke and coronary heart disease and lung cancer may be considerably weaker than generally believed."

No, I am not saying that there is no danger from second-hand smoke. I am saying it is debatable. Whether one wishes to expose oneself to it is a personal and rational choice worth respecting.

It is odd how cities like Boulder have worked to protect one's sexual lifestyle choices, yet have so little tolerance for other lifestyle choices. No reasonable person would support a law banning gay bars, but somehow banning a bar that caters to smokers is just fine. But let's assume that environmental smoke is a health risk. Patrons weigh that factor, along with many others, when choosing a restaurant. As more of us want a smoke-free environment, businesses must provide it to compete. In fact, more and more establishments were turning non-smoking before Boulder's ban, thanks to market pressure.

I have heard some whine that they have the right to go to a restaurant without being offended by smoke. Do you really have a right to tell a private owner what legal activities he can't allow on his own property, just to cater to your tastes? Do you have a "right" to go to a private establishment without being offending by bad music or poor menu choices? You have a right not to go someplace that offends you.

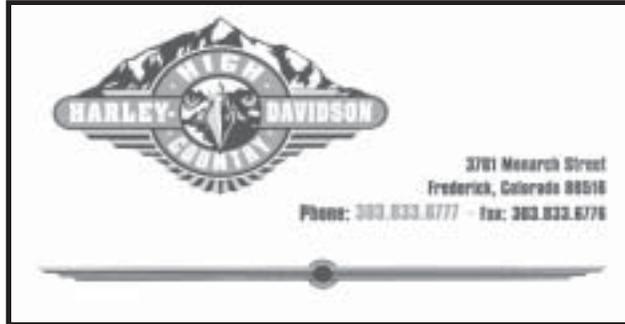
Workers have choices too. Slavery ended a long time ago. As a business owner must accommodate customers to bring in revenue, she must accommodate employees to retain a workforce. No employee is forced to work in a place he feels is wrong for him. Does that mean we abandon all workplace-safety regulations? Of course not. But unlike hazards that are hard to detect, like faulty wiring, a prospective employee knows walking in whether or not a bar allows smoking.

A good analogy might be a loud concert hall or club. Anti-smoking Nazis care for people's lungs but not eardrums. An employee at a nightclub knows he will be working in earsplitting conditions when he accepts that job. It may be years before the damage causes deafness, and society must pay the medical costs, which is the lifestyle Nazis' constant and feeble economic reasoning for banning free exchanges. (That logic quickly leads to banning Oreos).

Nannyists forsake reason and thrive on emotion when they play the "for the children" card. They claim these bans are needed so kids aren't exposed to smoke when their parents take them to restaurants. Yet smoking in front of your kids at home, and most any place else, is legal. So doing it in another private establishment is somehow different?

I have no doubt that as fewer of us smoke, and those who do die off, smoking bans on private places will grow exponentially. And the remaining smokers will be treated like lepers. And liberals will continue to talk about tolerance.

Jon Caldara is president of the Independence Institute in Golden. He lives in Boulder.



EPA Responds to Congressional Letter Regarding Motorcycles

<http://www.mrf.org>

The Environmental Protection Agency (EPA) responded to the May 28, 2003 letter written by U.S. Reps. John Shimkus (R-Illinois) and Ted Strickland (D-Ohio), signed by 44 other Members of Congress, on questions regarding the impending rulemaking on new motorcycle emissions standards.

Most noteworthy is EPA's reasoning for excluding the motorcycle industry's independent shops and aftermarket suppliers in the rulemaking process. The Regulatory Flexibility Act ("RFA"), as amended in 1996 by the Small Business Regulatory Flexibility Act ("SBREFA"), requires federal agencies to tailor their regulations to fit the needs and capabilities of small business. The agency asserts it was correct to dismiss independent shops, citing case law that states, "An agency is under no obligation to conduct a small entity impact analysis of effects on entities which it does not regulate [Motor & Equipment Mfrs. Ass'n v. Nichols, 142F. 3d 449, 467 (D.C. Cir. 1998)]."

That case, however, was brought on behalf of engine and parts manufacturers, not vehicle manufacturers. "This rule would promulgate requirements only on manufacturers of new motorcycles," EPA continues. "Precisely," responds Tom Wyld, VP-Government Relations, Motorcycle Riders Foundation (MRF). "And independent shops are 'manufacturers of new motorcycles.' MRF and its partners have argued for more than three years that independent shops are the smallest of small volume makers, have dramatically unique needs as compared to larger entities, and deserve what little protection is offered them under the SBREFA umbrella."

"Independent dealers, shops and aftermarket parts suppliers and end-users are not directly regulated by the rule," EPA claims, adding that it expects "no significant effects, even indirect ones, on these entities." Visit the MRF website at <http://www.mrf.org/positionpapers.php> to view the letter from Congressmen Shimkus and Strickland, as well as EPA's full response.

Ducking under the semantics of "not directly regulated" is a common federal regulatory tactic - one that Congress has heard before. In testimony before the House Small Business Committee in March 2002, an expert on SBREFA compliance stated "agencies are still attempting to avoid or defeat RFA requirements...[specifically] Agencies often claim that their regulations do not directly impact small entities..." The case cited by the expert? Motor & Equipment Mfrs. Ass'n v. Nichols.

The Motorcycle Riders Foundation has requested an emergency meeting with the Executive Office of the President to address these and other pressing concerns regarding the EPA's proposed rulemaking.

"Democracy is a pathetic belief in the collective wisdom of individual ignorance." — H.L. Mencken

Homeland Security or Jack-Booted Thugs?

<http://www.privacyalert.us/>

The *Coquille Valley Sentinel* offered a recent guest editorial by William Norman Grigg, senior editor of *The New American* magazine, titled "Tales of the Garrison State" and relating the experience of Elizabeth Myer, pulled over by a local cop in Yakima, Wash., for an expired tag on her Chevy Suburban on a hot mid-July afternoon.

"During the routine stop, the officer noticed that there was an unloaded ammo magazine for a semi-automatic rifle on the dashboard. The officer asked for permission to search the vehicle. Mrs. Myer declined permission, assuring the officer that the magazine was empty and she wasn't carrying any weapons.

"The officer, determined to search the vehicle, detained Elizabeth and her four young children (all of whom are 6 or younger) in the Suburban for over an hour and a half. Insisting that the young mother posed a 'flight risk,' the officer refused to allow her to turn the ignition key to run the air conditioner.

"Jim Myer, Elizabeth's husband, told Review of the News Online, 'It was 117 degrees that day, and in other circumstances a mother who left her small children out in that weather for an hour and a half would be charged with child abuse. But I guess it's just fine when government people do it.' Myer reported all four of their children had to be treated for heat stroke."

According to Jim Myer, while his wife and tots were illegally detained in the broiling sun, the traffic stop was being examined as a "homeland security" matter by a Washington state Tri-Agency Counter-Terrorism Task Force. Supposedly they were concerned that Elizabeth Myer was somehow involved in a nearby incident involving fully automatic rifles.

Jim Myer, for the record, is a world-class shooter who provides marksmanship training to local, state, and federal law enforcement agents. He says he fastidiously obeys firearms laws. Nonetheless, shortly after his wife's punitive detention, Myer received a visit from the ATF. "They were all over our house, demanding to see every gun we have," Myer told Review of the News Online. When Myer asked the purpose of the raid, he was repeatedly told it was being treated as a matter of "homeland security."

***"The two best anti-poverty programs are work and marriage, and the government withdrew its assistance from any poor person who openly engaged in either of these activities. To put it bluntly, the 'Great Society' implemented by the 1960s liberals was one where the government supported poor young women, but only if they never had a job themselves, never got married, and raised their children without a father even contributing to the support or nurture of the family. Unsurprisingly, this experiment turned out to be a massive failure."* — Rep. Jim Talent**

The advertisement for Hawg Wild Custom Choppers features a central logo with a hawk and the text "HAWG WILD CUSTOM CHOPPERS". Below the logo, it lists contact information: "PHONE: (970) 669-5589 FAX: (970) 669-5572" and "4315 S. LINCOLN, LOVELAND CO 80537". The ad also states "BUY, SELL, CONSIGN & TRADE PRE-OWNED HARLEYS" and "CUSTOM PAINT & CUSTOM BUILDING-FULL SERVICE CENTER". It includes a quote: "****FROM EL'S TO EVO'S****(INCLUDING ENGINE REBUILDING)****". Hours are listed as "Tues - Fri 9:00 am - 5:30 pm" and "Saturday 9:00 am - 5:00 pm". A website is provided: "VISIT OUR WEB SITE AT WWW.HAWGWILDCC.COM". At the bottom, it says "IF YOUR BIKE IS NOT BECOMING TO YOU, IT SHOULD BE COMING TO US!".

Indian Motorcycle Closes Doors

Indian Motorcycle closed the doors of their manufacturing facility in Gilroy CA, on Friday, Sept. 19, 2003. Blaming an investment that turned sour, Indian laid off all 380 employees. Even though Indian had planned to sell 4500 bikes in 2004, Indian Vice President Fran O'Hagan speculated that Indian would probably end up in bankruptcy court. Dealers were shocked and many said the news took them completely by surprise.

Audax, a private equity firm in Boston, invested \$45 million in Indian in 2001 and hired new executives including O'Hagan. Their employment hit over 600 before dropping to current levels. Creditors are expected to take control of what is left of the company.

Land of the Free, Home of the Slave

By Steven Greenhut

<http://www.lewrockwell.com/>

America is such a wonderfully free country that I thoroughly understand why the Bush administration, like the Clinton administration before it, is so eager to take our freedoms and spread them across the globe. Without the U.S. government, backwards peoples will have to labor on in their own delusions, never understanding what true liberty is all about.

I am so free. If I want to paint my house, or build a deck out back, or install a new air-conditioning system, I am free to call the building inspector and get his approval first. If I want to put a new toilet in the bathroom, I am free to buy only the low-flow toilets the government approves. I am free to buy a property near the beach, provided the government Coastal Commission approves whatever I want to do with that property. That approval might take decades, and the final thing that I build will be what the commissioners want there, not what I want, but I am free nonetheless.

I know I am free because this is America. And America is a free country – the best one in the whole darned world. If you don't like our freedoms, you should move somewhere else.

Any other questions?

Unlike those pathetic souls in other less-free and non-free countries, I am free to open my own business, provided I pay my employees the minimum salary demanded by the government, and give them overtime in the exact proportion stated by the government, and offer them breaks that conform exactly to the standards set by government. I can operate my business in complete freedom, provided that I meet every one of the hundreds of pages of air-quality standards promulgated by the state and federal governments.

I am free to offer my employees any benefits I choose, provided they are ones approved by the government. I am free to operate my building in compliance with all the building codes and standards defined by the government. I am free to place a sign on that business provided it conforms to the city's sign ordinance. I am free to hire a lawyer to defend against the government's charges that I discriminate because I have fewer minority employees than the government says I should have. I am free to pay a \$100,000 fine if I complain that a male employee suddenly is showing up in dresses.

I am free to have exactly the same number of parking spaces the government says I should have, and to follow the spe-

cific standards the government established when it gave me a conditional-use permit. True freedom always has conditions. I am free to vote in elections, provided that the ethnic balance of those elected conforms to the dictates of the Justice Department. I am free to invest money in the stock market provided I don't take advice from anyone who knows any real information about the stock. If I do, I am free to spend several years behind bars. I am free to pay half my earnings in taxes. You know what they say, taxes are what we pay for a civilized society. Civilized and free. What more could a person ask for?

I am free to get to work on government-built and managed roads, in a car that meets government safety and pollution standards. I am free to pay hundreds of dollars a year in car taxes and gas taxes. I am free to borrow money from a bank to pay these taxes provided that the lender meets every government code and offers special terms to those people the government says should get special terms. I am free to send my children to the government-run schools, where they are taught whatever the government wants them to learn. I am free to raise them exactly as the government demands, or watch child protective services take them from me and give them to a foster parent.

I am free to get on an airplane and fly anywhere I want in this free country, provided that I let a government employee search my stuff and even my person. I am free to tell the federal government exactly how much I earn and let agents audit me and take me off to jail if I fail to tell them every source of income.

I am free to take any drug I need or please provided it is sold by a pharmacist or a drug store. I am free to work in any sort of profession, provided that I gain the proper government-granted licenses. If I work in manufacturing, I am free to give a union a lot of money or am free to find another job. I am free to hand over my property and take a pittance in return for it when the government uses eminent domain on behalf of a politically well-connected developer.

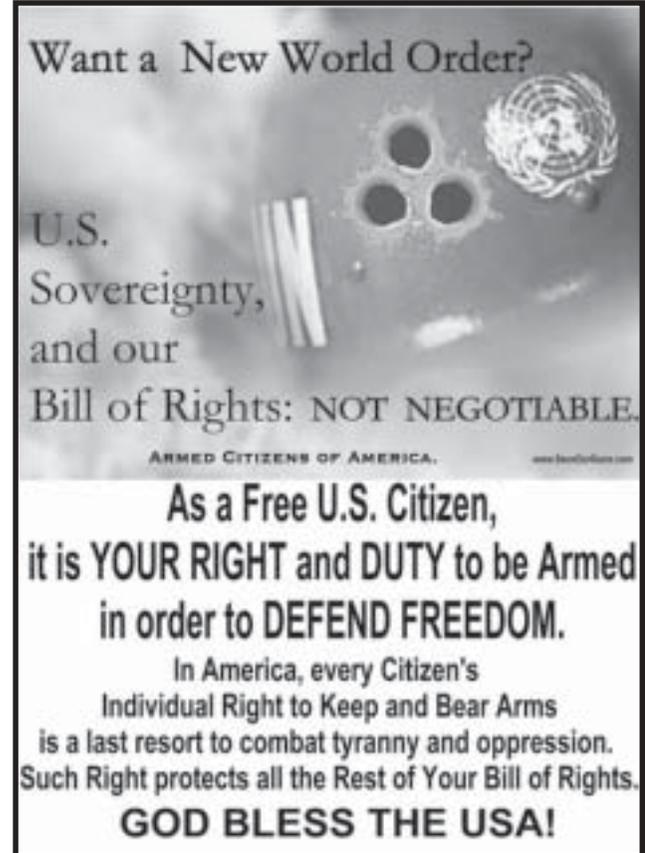
I am free to have a dog provided I buy him a government-issued license. I am not free to own a ferret, although in truth I hate those nasty little critters and don't really want one. I am free to let a police officer search my car for any reason. I am free to let federal agents search my property, tap my phone lines, look at my library records.

I am free to live my life in total freedom provided that all my choices are approved by government, all my earnings are taxed by government, and all my moves are subject to close examination by government. No wonder the Iraqi people are so eager for their American overseers to show them how this freedom thing is done.

THE ANNIVERSARY

While enjoying an early morning breakfast in a northern Arizona cafe four elderly ranchers were discussing everything from cattle, horses, and weather to how things used to be in the "good old days." Eventually the conversation moved on to their spouses. One gentleman fellow on his right asked, "Roy, aren't you and your bride going to be celebrating your 50th wedding anniversary soon?" "Yup, we sure are," Roy replied. "Well, are you gonna do anything special to celebrate?" another man asked. The old gentleman pondered this for a moment, then replied, "For our 25th anniversary, I took Bea to Tucson. Maybe for our 50th, I'll go down there and get her."

"The only way to make sure that government doesn't abuse its power is to not grant it in the first place." —Tom DeWeese



Brave New Climate

By Patrick J. Michaels

Patrick J. Michaels is senior fellow in environmental studies at the Cato Institute and author of the book "The Satanic Gases."

In any competition to determine what living person will be most influential in the next decade, J. Craig Venter, president of the Institute for Biological Energy Alternatives, surely is at the top of the list. After decoding the human genome, he's now on a project to genetically engineer the planet's temperature.

Technologically, this might not be so difficult, and Venter makes no bones about what he is after: a homogenerated bacterium that reduces atmospheric carbon dioxide. Increasing carbon dioxide is the likely cause for a small rise in planetary temperature in the last 50 years of about 0.4°C. Despite the fact that the warming has consistently been far beneath the early alarmist projections, there's no other environmental issue that generates such emotional heat.

Also neglected in public discussion is that the physics of this process correctly predicts that a disproportionately large amount of this warming should take place in the coldest, driest air, such as in Siberia in the winter, and this has been observed. Further missing: The world's mid-latitudes, which is where most of our food comes from, should receive slightly more rain, and therefore produce more food. Both have been documented.

Smart money says Venter will be successful. The ramifications will be mind-boggling. First and foremost, it will provoke an honest discussion of global warming.

For years, enviro-luddites have assumed that anything we humans do to the global temperature is bad. The implication is that the earth's climate before the industrial revolution was somehow the Garden of Eden.

Hardly. Much of the northern hemisphere, if not the world, was at the depths of what climatologists call the Little Ice Age. Winters in Europe were miserable. Thomas Jefferson,

Continued on page 9

who, among other things, was fascinated with the notion of climate change, wrote that the oldest citizens of his time recalled that the snow in Virginia would lay on the ground for months at a time, as opposed to the few weeks that characterized his day. Now it's more like a few days. Whether the Little Ice Age was the beginning of a natural progression to the next big ice age (which is overdue by some calculations), is an experiment that cannot be run. However, the reality is that human-produced carbon dioxide has warmed things up a bit.

Is this all so bad? I sincerely doubt that a panel of the most esteemed ecologists would argue that we should bring planetary temperature down. Perhaps the most logical temperature would be the average since the last big ice age, 11,000 years ago, about a degree warmer than today. The flowering of human civilization and its co-evolution with the earth's biota are the hallmark of the post-ice age regime. Consequently, it's a pretty good argument that the mean temperature during this period is a salubrious one.

One could hone it a bit more: The actual dawn of civilization occurred in a period climatologists used to call the "climatic optimum" (before the current era of "climatic hysteria") when the mean surface temperature was 1-2°C warmer than today.

So where do we set the thermostat, once we realize the technological inevitability that the control is in our hands?

That's going to be the real debate about global warming.

Who decides and how we decide will be one of the most delicious ironies of the modern era of environmental politics. Right now, there's a great divide between America and Europe on just about every aspect. It's about to get bigger.

Nowadays, we don't even notice that almost all of our ubiquitous soy-based food products are genetically modified, even as Europeans would claim to break out in hives just for looking at a Prius bar. We believe that the Kyoto Protocol won't do anything about global warming except cost its adherents a fortune. Europe disagrees, tilting at ugly windmills. Europe savages the Bush administration for inaction, while the president, along with Dr. Venter, recognizes that effective climate technology has yet to be developed. Euros will hate the notion of genetically modified organisms engineering our atmosphere, even as probably 60 percent of the protein that comprises the American body now comes from the same.

Perhaps the genie that is about to emerge from Craig Venter's petri dishes will finally bring the

world to its senses, not only on climate change but also on the inevitability that Homo sapiens chooses and engineers the planet and genetic ecosphere that it desires. It's been happening for hundreds of years, and only the pace and the technology are accelerating.

This was predicted a long time ago, in Genesis: "Be fruitful and multiply; fill the earth and subdue it; have dominion over the fish of the sea, over the birds of the air, and over every living thing that moves on the earth".

Craig Venter is likely to provide the key to that prophecy. But determining how we fulfill it, and with what wisdom, is going to occupy an awful lot of our time in coming decades. -- <http://www.cato.org/>

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**WHAT'S THE
ROAR**

Speed cameras trade real liberty for false security

By Danny Brooks

People will accept just about anything that's gradually implemented

In 1759 Benjamin Franklin said, "They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety."

Since 9/11, security has weighed heavily on most peoples' minds. One of the hot topics in Charlotte is a bill that deals with this on a local level. The bill, which would permit the use of cameras to catch speeders, was passed by the N.C. House of Representatives Tuesday but requires Senate approval to become law.

We were told a few years ago cameras would never be used for this purpose. Some people grudgingly accepted red-light cameras in school zones amid cries of "if it saves the life of just one child" Those of us who were awake — mainly Libertarians — knew it would not stop there.

Unfortunately, we were right, as red-light cameras are everywhere. They were put up, we were told, to save lives and keep people from running red lights. If saving lives was the concern of our local leaders, a wiser and more effective measure would've been adding one second to the yellow lights, which studies have shown reduces intersection crashes by more than 50 percent.

Ah, but that would not bring in the money. Generating revenue is the main reason for red-light and, in the near future, speeding cameras. A recent online Observer poll found that 77 percent of respondents view speeding cameras as an invasion of privacy. Sadly, they will have long forgotten this by the next election.

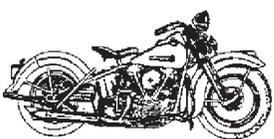
Traffic cameras prove something I have witnessed for years: People will accept just about anything as long as it is gradually implemented. A decade ago I don't think people would have allowed speed cameras. But start with red-light cameras in school districts, then intersections, and before you know it — voila! — speed cameras. I wouldn't be surprised if the next step is Global Positioning Satellite devices on our automobiles that issue tickets every time we exceed the speed limit, run a red light or stop sign, and so on, and then automatically deduct the charge from our credit card.

Speed cameras have pros and cons. The biggest pro is that speed cameras would allegedly save lives. They discourage speeding. The slower you go, the less likely you are to have an accident. Also, slower speeds make it easier to stop quickly. And camera tickets don't cause car insurance premiums to go up. It's a lot easier to swallow a \$50 ticket than a \$50 ticket plus an additional \$500 a year for the next three years. Of course, there are other ways to accomplish the same things, such as making cars that cannot exceed the speed limits.

In the negative column would be a flagrant disregard for the U.S. Constitution, or more precisely, the 4th Amendment: "The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated, and no

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10. RIDERS FOR JUSTICE

warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.”

I've heard arguments that it also violates about half of the Bill of Rights. There are more than enough violations to throw it out, and the lawmakers who introduced it should be forced to read both the U.S. and N.C. constitutions aloud in a full session.

But it won't happen. People have been conditioned to blindly accept whatever they are told. Many are afraid that if they "rock the boat" that something bad will happen. Well, something bad is already happening. There has been a cancer eating away at the very core of this country and the freedom and liberty that its founding fathers gave their lives for, and it started long before Sept. 11, 2001.

Somewhere along the way, we slowly, almost unwittingly, did what Franklin feared. We not only traded liberty for safety, we traded it for the illusion of safety.

One of the comments I often hear is, "Well, if you aren't doing anything wrong, what are you worried about?" Well, for starters, I worry that more people don't have a problem with a constant invasion of our rights as Americans living in a free society.

I worry that one day soon, I will need a picture ID, retina scan and a microchip implanted into my hand (probably with a model number of 666) just to enter my office or deposit a check. I worry that no one will think twice about a camera that follows us from the boulevard to the boardroom to the bedroom.

I worry that I'll be the only one left who sees a problem with this. And I worry that gradually accepting an erosion of our constitutionally-protected liberties and our God-given freedom will result in a real-life "1984," even if it comes about 20 years later than George Orwell predicted.

Top Ten Worst States To Travel In With A Handgun

By Chuck Baldwin

A recent article written by attorney J. Scott Kappas for Handguns Magazine chronicles the ten worst states for U.S. citizens to travel in with a handgun. Interestingly enough, none of the offending states are located in the Southeast or the West. Predictably, seven of the ten are located in the Northeast. Here is the list, ranked in order.

1. Washington, D.C.
2. Massachusetts
3. Hawaii
4. New Jersey
5. New York
6. Connecticut
7. Maryland
8. Illinois
9. Rhode Island
10. Michigan

As I wrote in an earlier column, there is an effort underway in Congress for states to be able to reciprocate the Carry Concealed Weapon (CCW) permits nationwide. This would allow



CCW permit holders to legally carry their concealed weapons when they travel outside their home states. Under this law, their CCW permits would be honored by the various states much in the same manner that driver's licenses are honored state-to-state.

The bill is numbered H.R. 990 and is titled the "Secure Access to Firearms Enhancement (SAFE) Act of 2003." The bill's chief sponsor is John Hostettler (R-8th/IN). I would think all gun owners would want to get behind this bill.

On the other hand, President Bush is pushing for an extension of the Clinton "assault weapons" ban which is scheduled to sunset next year. Republican Leaders in the House of Representatives are saying the extension will not clear the House, but with pressure mounting from the White House for the extension, nothing can be taken for granted.

Gun owners certainly need to lobby their congressmen to be sure they resist Bush's efforts and vote against granting the extension. If it did pass the House, it doubtless would pass the Senate and Bush would sign it.

In the meantime, be very careful about traveling with a handgun in the above listed states. Obviously, they have never heard of the Second Amendment. As a result, visitors to those states could find themselves equally victimized by both the criminals and the criminal justice system.

<http://www.chuckbaldwinlive.com>

Editors Note: If you have a Colorado issued concealed carry permit, your permit is currently valid in the following states:

- Alabama
- Alaska
- Florida
- Georgia
- Idaho
- Indiana
- Kentucky
- Michigan
- Montana
- New Hampshire
- North Carolina
- Oklahoma
- South Dakota -- (Yes you can carry to Sturgis in SD.)
- Tennessee
- Utah

Other states may be added as the CBI gets information from them. You can check on their status at:

<http://cbi.state.co.us/ccw/reciprocity.asp>

TRUE FACTS MADD PROPAGANDA WILL NEVER TELL YOU

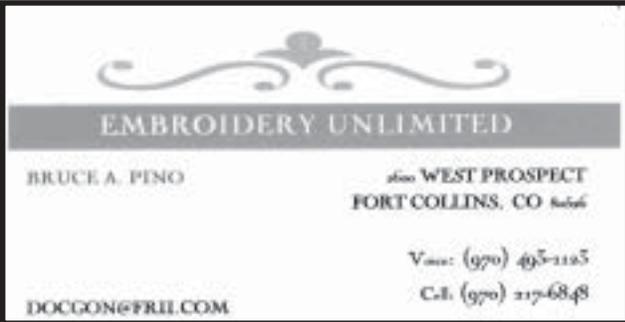
MADD PROPAGANDA will never tell you that nationwide in 1996, 59% (62% by 1998) of all motor vehicle accident fatalities occurred in accidents in which no person involved in the accident had consumed any alcohol whatsoever. During 1996, 25,062 people died in motor vehicle accidents in which every single person involved in each accident was totally sober.

MADD PROPAGANDA will never tell you that nationwide in 1996 only 8.9% of motor vehicle accident fatalities occurred in "alcohol related accidents" where no person involved in the accident had a BAC equal to or greater than 0.10%. This statistical percentage has decreased every year since 1996.

MADD PROPAGANDA will never tell you that for the purpose of federal government statistics an "alcohol related accident" is one in which one or more parties to an accident, including all drivers, pedestrians and bicyclists, had some alcohol in their systems, regardless of causation and regardless of who was at fault for the accident. In other words, under the existing government reporting system, a totally sober driver could cause a fatal motor vehicle accident to occur and if someone else involved in that accident had any measurable amount of alcohol in their system, that accident would be recorded for statistical purposes as an "alcohol related accident"

MADD PROPAGANDA will never tell you that nationwide in 1996, there was a total of only 3,803 fatalities in so-called "alcohol related" motor vehicle accidents where no person involved in the accident had a BAC equal to or greater than 0.10%. Those 3,803 fatalities represented approximately 0.0001434012% of the total U.S. population in 1996. Those 3,803 fatalities also represented only 0.00164560796% of the





number of persons who died from all causes in the U.S. in 1996. How can any rational person believe that these numbers justify the arrest, conviction, incarceration, criminalization and humiliation of literally hundreds of thousands of our fellow citizens each year on low BAC DUI charges?

To put the low BAC motor vehicle accident fatality rate into more perspective, National Safety Counsel statistics indicate that nationwide in 1997, 4,000 people died by drowning, 14,900 died in falls, 8,600 died by poisoning (excluding food poisoning, and food-borne bacterial infections), 3,700 died in fires, and 3,300 died of suffocation by an ingested object. The CDC reports that up to 120,000 premature deaths in the U.S. were associated with exposure to air pollutants. The NHTSA reports that 40,000 injuries and 1,550 fatalities annually are attributable to fatigued and drowsy drivers.

MADD PROPAGANDA will never tell you that in recent years the number of fatalities due to "alcohol related" motor vehicle accidents has been declining fairly uniformly nationwide regardless of the statutory BAC limit that has been adopted by a given state. The only significant difference between those states that have adopted the 0.08% BAC limit and those that have maintained a 0.10% BAC limit is that more citizens are being arrested for DUI in the 0.08% BAC limit states. Lowering legal BAC limits below 0.10% does not appear to save lives. It does appear to unnecessarily criminalize our citizens, destroy marriages, wreck careers, lessen self esteem and cause widespread disrespect for law enforcement officers, the courts and our civil government.

MADD PROPAGANDA will never tell you that an evaluation of the effects of North Carolina's 0.08% law that was prepared for the NHTSA in 1998 by the University of North Carolina's Highway Safety Research Center concluded that, "...lowering the BAC limit in North Carolina did not have any clear effect on alcohol-related crashes." The evaluation further concluded that, "...the North Carolina trend in several other commonly used indicators of alcohol involvement in fatal crashes did not differ in comparison with the 37 states that retained higher BAC limits." It should be noted that MADD gives North Carolina an "A rating" for its oppressive DUI laws. North Carolina was one of the first states to sacrifice the freedom and liberties of its citizens in order to obtain federal funds and to satisfy the federal mandates that were wrought by MADD propaganda.

MADD PROPAGANDA will never tell you that according to NHTSA statistics nearly two thirds of all drivers and passengers killed in motor vehicle accidents (regardless whether alcohol involvement was a factor in the accident) were not wearing seat belts. The NHTSA estimates that 70% of the driving population wear seat belts regularly. The NHTSA also estimates that 4,000 fatalities and 100,000 injuries could be prevented annually if only 15% more of the driving population would wear seat belts on a regular basis. If MADD and our federal government were really interested in saving lives on the nation's highways one would assume that they would be directing their energies and their draconian laws against drivers and their passengers who don't wear seat belts. They will not do that though, because seat belts don't contain

alcohol.

MADD PROPAGANDA will never tell you that in every state where the statutory BAC limit has been lowered to 0.08%, the BAC limit for discretionary arrests has also been lowered to 0.05% - 0.06%. Those BAC limits are attained by an average size person on an empty stomach after a couple of beers or glasses of wine. Because the federal government gives large amounts of tax money to those states that agree to arrest more of their own citizens for low BAC DUIs, law enforcement in those states tends to be extremely aggressive. This means that in those states unusually large numbers of innocent citizens who are not really impaired are being arrested for DUI at the lower BAC levels. Throw in a few bad "cowboy" cops and you have a situation that would have made Joseph Stalin proud. Since no citizen

who has had a couple of drinks can tell for sure whether or not they he or she is legally "impaired", the only way a law abiding citizen can make sure that he or she is obeying the law and not risking arrest for DUI is to not drink anything. That is MADD's goal. It is called Virtual Prohibition.

MADD'S PROPAGANDA claims that after midnight one out of seven drivers on the nation's highways are legally impaired by alcohol. What MADD doesn't tell you is that when our limited law enforcement resources are aggressively committed to attack the low BAC driver, the chronic/alcoholic drunk driver tends to get away. How many minutes do you think, on average, that it takes a law enforcement officer to stop a low BAC drinking driver, administer field tests, handcuff the citizen, take the citizen to the station, administer the Intoxilizer test, then transport the citizen to the county jail? How long is the officer off active patrol because of the arrest of a low BAC driver? More importantly, how many totally shit-faced, chronic drunk drivers passed along the roadway while the officer was engaged in arresting and transporting a citizen who may not have been impaired in any way except under the definition of the MADD inspired DUI laws. Is this a wise and just use of our limited law enforcement resources?

Neither MADD'S PROPAGANDA nor any of the federal government's studies, research papers, reports or propaganda pronouncements contain a single word of caution, consideration or concern over the fact that hundreds of thousands of innocent citizens are likely to become victimized and criminalized by the low BAC DUI Gulag that has been established in the U.S. under MADD's guiding hand. There is not a single word of caution, consideration or concern over the fact that the rights and liberties of our citizens may be abused or abrogated. NOT A SINGLE WORD... ANYWHERE! Everything is geared towards obtaining more and more arrests, more and more convictions. -- <http://www.duigulag.com/>

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