

# BIKER CIVIL WRITES

ABATE OF NYS, INC., SOUTHERN TIER CHAPTER

## PRESIDENT'S REPORT

This month as most of us know is National Motorcycle Awareness Month. This month is always the month of the highest fatalities of the year for motorcyclists.

Unfortunately, in the eyes of New York State they consider June Motorcycle Awareness Month, because they have marked May as Erectile Dysfunction Awareness Month instead. This I suppose is appropriate because many in Albany are what they defend in May.

We as motorcyclists have been ignored for years and it is time we demand recognition. Prospector our legislative coordinator for the State has been working very hard to get us in the minds of our Albany law makers. Every Tuesday he is in the halls of this hallowed ground banging on doors and speaking to those who are willing to listen. To this action, we can be nothing but grateful. A seasoned biker like Prospector is a powerful tool for NYS ABATE.

This May 16<sup>th</sup>, NYS ABATE will be holding their 15<sup>th</sup>. Helmet protest in Albany and the halls will again be flooded with bikers looking to be heard. Our chapter will be leaving the Ames Plaza at noon May 15<sup>th</sup>. To go to this event, we will be staying at the

*(Continued on page 2)*

### VOLUME 2, ISSUE 5

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### MAY 2011

#### Upcoming Events:

- \* May 12<sup>th</sup>: Southern Tier ABATE Chapter Meeting  
American Legion Post 1194, Hillcrest
- \* May 16<sup>th</sup>: State Freedom Rally, Albany
- \* June 9<sup>th</sup>: Southern Tier ABATE Chapter Meeting  
American Legion Post 1194, Hillcrest

**Check out our online calendar for bike runs, benefits, and more!**

## IN MEMORIAM

No names submitted.

**ABATE OF NYS, INC.,  
SOUTHERN TIER  
CHAPTER**

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***American Bikers  
Aimed  
Towards Education***

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We're on the Web!  
[abateofstny.org](http://abateofstny.org)

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**WHAT IS A.B.A.T.E.**

ABATE is an acronym for **American Bikers Aimed Towards Education**. We are a non-profit organization formed to promote and protect the interests of motorcyclists. We are a grassroots organization which provides information on federal, state, and local legislation affecting motorcyclists as well as providing social events for riders.

If you would like more information on **ABATE** you may write to:

Southern Tier ABATE  
PO Box 2441  
Binghamton, NY 13902

**CHAPTER MEETINGS**

The Southern Tier Chapter of ABATE of NY meets on the 2<sup>nd</sup> Thursday of each month at:

J. P. Mangan American Legion Post 1194  
363 West Service Road  
Hillcrest, NY 13901

Meetings start at 7:00pm.

**PRESIDENT'S REPORT**

*(Continued from page 1)*

Blackthorn's Weldon House Resort for the night and leave from there in the morning to go to the event. If you would like to go with us be there before noon!!!

The Weldon House has a restaurant and bar where you can have a good meal and enjoy the evening. Also they have had a bonfire in the past that many seem to flock to. Double rooms are 50 bucks which helps make this event more affordable. If you can make it be assured you won't be disappointed. Hope to see you there.

Your president, Mick Brown

## MEMBERSHIP REPORT

Currently we have 87 Members, that's up 1 from last month of 86.

We had 2 new Members join us.

1. Tammy Franklin

Welcome aboard Tammy!

We had 4 renewals since last newsletter:

1. TJ Giannicchi {9 yrs}
2. Mark Giannicchi {9 yrs}
3. Don Lantz Jr {2 yrs}
4. Jim Fitzsimmons {11 yrs}

We thank you for your continued support.

**If you know any of the following folks, gently remind them it's time to renew!**

### *Members Past Due*

1. Meggan Hobart {Jan}
2. Walt Huber {Jan}
3. Steven Kizis {Jan}
4. Mark Paugh {Jan}
5. Andy Ellis {Feb}
6. John Grosso {Feb}
7. Bob Bullock {Mar}
8. Patrick Nannery {Mar}

### *Members due in April 2011*

1. Mark Callahan
2. John Crossman
3. Tom Finch
4. Cathy Freeman
5. George Kilpatrick
6. Dana Woodruff

### *Members due in May 2011*

1. John H Day, Jr
2. Mike Murray
3. Candy Spacek

### *Members due in June 2011*

1. Ron Aton
2. Jamie "Packrat" Bates
3. Mark Beebe
4. Nicole Deering
5. Dave Dipierri
6. Debora Gardner
7. Kenny Gardner
8. Sid Gyles
9. Shelly Hinton
10. Tony Morabito
11. Crystal Morabito
12. Edward Vandermark

Please keep your membership current. Your membership is crucial to fight for our aims and purposes. The state will only keep you on for 2 months after your membership card expiration date.

Hello, please note that at the time of this report I have not received the updated Membership report from the state. If you renewed and are not mentioned in this report you will be mentioned at my updated Membership report at the meeting. We have been having a pretty good turnout at the meetings but I would like to see more Members attending. We have a lot to discuss in a short period of time. There is a lot of informative information discussed at these meeting. Hope to see you there. That is all I have for this month. Ride Safe

Hippie {Membership Chairman}

## LIFE TERM MEMBERSHIP PROGRAM

The Life Membership program consists on a one time payment based on the number of years the member has in the organization. Beginning with their 25th year they are automatically a Charter Life Member and dues are waived.

0-5 yrs Membership is \$400.00

6-10 yrs Membership is \$300.00

11-15 yrs Membership is \$200.00

In addition to all benefits of a full member the Life Member will receive: A Life Member patch, A distinctive Life Member card, and yearly pins.

## VICE PRESIDENT'S REPORT

No report submitted.

## LEGISLATIVE REPORT

No report submitted

## NEWSLETTER/WEB SITE NEWS ([ABATEOFSTNY.ORG](http://ABATEOFSTNY.ORG))

Got stopped in Georgia at a motorcycle -only checkpoint on the way to Daytona? Check out an important message from Georgia ABATE on our Home page.

Missed Assemblywoman Donna Lupardo's visit in February? A summary of her talk can be found on our Legislative page.

Further down the page you can also find a copy of Steve's letter to Richard Hanna. You can download it and use it as a model to contact your Senators and

Assembly Representatives.

Mick sent me some pictures of the Triple Cities Chopper Club Swap Meet. See us "holding the fort"!

We want your email address! The latest version of the Chapter's Membership Form now has a box to indicate whether you want an electronic version of the newsletter. Even if you don't, send us your email address. It may be useful in the future.

### ELECTRONIC NEWSLETTER

Would you like to see the full-color version, save a tree, and save the Chapter postage in the process?

Then go to the Web site and tell me you don't need a paper copy any more! Under *About & Contact Southern Tier ABATE*, you can order the electronic version! I'll send you a colorful, fully interactive PDF version instead.

Associate Members in good standing are eligible for email delivery.

## MINUTES FROM APRIL MEETING

April 14, 2011 – Start 7:20pm—23 members (including officers) attended.

TJ's report: Motion to waive reading of the minutes. Motion to accept (mta) Jim F, 2<sup>nd</sup> Tony, motion passed

Toni is absent; Mick reads Treasury Report. As you know, we do not report our balances in the newsletter to keep them from prying eyes. However, if any member wants information they may call Toni at (607) 768-0082. The books are also available for any member to look over. mta Chrissy, 2<sup>nd</sup> Ron, motion passed

Eric reads Membership Report: 86 members (1 new member). Tom Fleming will be a Forever Member. Thank you to those who donated. See *Membership Report* section. mta Jerry, 2<sup>nd</sup> Ron, motion passed

Shelly reads Newsletter/Website Report. Added Georgia ABATE email. We are now cross-linked to the Norwich American Legion Post. Updated Legislative page with Donna Lupardo visit, Legislative Friends of ABATE, and posted Steve's letter to Richard Hanna. Uploaded TCCC Swap Meet pictures. See *Web Site News* for more details. mta John, 2<sup>nd</sup> Jean, motion passed

Steve reads Legislative Report. He sent a letter to Barbara Fiala regarding motorcycle-only checkpoints. She completely missed the point and focused in on helmets which was mentioned in passing in the letter. He will resend the letter eliminating the reference. Donna is sponsoring the Motorcycle Awareness Bill and we're making progress! You can go to the ABATE Web site Legislative page and click links that will take you directly to motorcycle-related bills. mta Jean, 2<sup>nd</sup> Jim, motion passed

Corky absent (working)

Mick reads President's Report. Prospector is back and it's great to have him. We've had some issues with the State Office Manager. I will be going to the state meeting and it will be addressed. Trying to generate advertising to help support publication of newsletter. See *President's Report* section. mta Jim, 2<sup>nd</sup> John, motion passed

⇒ Shelly made a motion that we sell advertisements in Newsletter and Web site for \$25 for 1/4 page, \$50 for 1/2 page, and \$100 for full page annually. 2<sup>nd</sup> Jim, motion passed

*New business:*

1. Chrissy has found someone to make Tom Fleming patches for \$5 each (no minimum). She needs the money up front. Contact her if you want one.
2. Mick asks if anybody is interested in ABATE T-shirts. If you are, contact him about size and color. We also discussed possible iron-on patches.

*Old business:*

1. State Freedom Rally is May 16<sup>th</sup>. We will meet at noon at the old Ames Plaza in Binghamton. If you want to ride, meet us there. We need to know who is going so we can reserve rooms at the hotel.

⇒ Steve made a motion that ABATE Southern Tier Chapter cover \$25 of hotel cost for each attendee up to \$300. 2<sup>nd</sup> not recorded, motion passed

1. Question is asked about fundraising and whether or not it is allowed. Mick will discuss this at next Regional meeting. They have a group that's been scamming benefits and committing fraud. Not sure how that affects us.

Motion to Adjourn. mta not recorded, 2<sup>nd</sup> not recorded, motion passed—Meeting adjourned at 8:16pm.

## WEB SITE USAGE STATISTICS

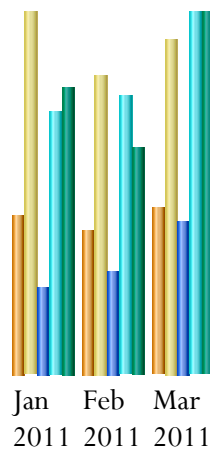
### SUMMARY

Reported period	Month Feb 2011				
First visit	01 Feb 2011 - 08:04				
Last visit	28 Feb 2011 - 17:51				
	Unique visitors	Number of visits	Pages	Hits	Bandwidth
Viewed traffic *	110	227 (2.06 visits/visitor)	1620 (7.13 Pages/Visit)	4381 (19.29 Hits/Visit)	170.81 MB (770.54 KB/Visit)
Not viewed traffic *			3064	3876	89.06 MB

\* Not viewed traffic includes traffic generated by robots, worms, or replies with special HTTP status codes.

### MONTHLY HISTORY

Reported period	Month Mar 2011				
First visit	01 Mar 2011 - 00:52				
Last visit	31 Mar 2011 - 23:48				
	Unique visitors	Number of visits	Pages	Hits	Bandwidth
Viewed traffic *	125	255 (2.04 visits/visitor)	2410 (9.45 Pages/Visit)	5693 (22.32 Hits/Visit)	271.94 MB (1092.02 KB/Visit)
Not viewed traffic *			3560	4609	199.80 MB



### CALENDAR VIEWS

38 views by **public visitors** (705 all time views).

## LEGISLATION WE SUPPORT

BILL NO S01338 [No same as]  
SPONSOR DILAN  
COSPNSR DIAZ, HASSELL-THOMPSON

Amd S423-a, V & T L

Provides that ownership of unidentifiable part in identifiable motorcycle, other than a stolen motorcycle shall be returned to such owner, provided that department has made findings such owner had no knowledge part was unidentifiable and that owner wasn't responsible nor acted in concert to render such part unidentifiable; provides that a department investigation shall take place within thirty days after seizure of motorcycle; and requires commissioner to establish criteria to determine whether motorcycle shall be confiscated, seized or impounded and also to establish a system to ensure return of motorcycles to owners in undamaged condition.

Status: 01/06/2011 REFERRED TO TRANSPORTATION

Bill Text:

Text not available

BILL NO S01184 [No same as]  
SPONSOR PARKER  
COSPNSR MAZIARZ

Amd S502, V & T L

Requires five hour pre-licensing course to include a motorcycle awareness and safety component, and the driver's license examination to include two questions concerning motorcycle awareness and safety.

Status:

01/05/2011 REFERRED TO TRANSPORTATION

Bill Text:

Text not available

Information provided by:

<http://www.newyorkfreedomriders.com>

New York Freedom Riders

Riders Against Constitutional Erosion

"Freedom Is NOT A Spectator Sport"

Stephen Faughnan  
363 South St.  
Chenango Forks, NY 13746

March 16, 2011

Hon. Richard Hanna  
319 Cannon HOB  
Washington, DC 20515

Sir,

I am writing you today in support of HR 904 introduced by Rep. Sensenbrenner. This resolution would prohibit Federal funds from being used to conduct motorcycle only road stops. First, a little history. The NYS Police in conjunction with the NYS Department of Motor Vehicles began conducting motorcycle only stops in NY two years ago. They called the program "Trooper 5060" in reference to the badge number of a State Police officer who was tragically killed in the line of duty pursuing a criminal who happened to be riding a motorcycle.

The program seemed innocent enough at the time. The stated purpose was to perform safety checks on motorcycles to insure that the riders were operating a vehicle that was in compliance with NYS DMV regulations. Unfortunately, this is not what actually occurred.

The supposed "safety stops" became a tool to generate money for NYS and to issue tickets for non-compliant helmets. The NYS Police set up roadblocks in areas where they knew a large volume of motorcycle traffic would be because of annual motorcycle rallies. They post a sign on the highway indicating that all motorcycles must turn into a State rest area. They place the motorcycles in an area that can best be described as a holding pen, complete with fences and armed troopers and sheriff's deputies. They then look at helmets or anything on the motorcycle that they feel may not be in compliance. The riders who are pulled over have been detained for as long as 45 minutes, many with no tickets issued. Many of the tickets issued are overturned in a court because of non-specificity of the charges or even non-compliance with the NYS Police policy statement on motorcycle only stops. In fact, there is so much vague language in the policy, as well as discretion for the officers that the policy is not being enforced in anything resembling a consistent manner. I'm not even sure if the Troopers themselves understand their own procedure.

Every motorcycle registered in NYS has to be inspected by a licensed motorcycle inspection station each year. These trained professionals are qualified to perform the inspections, as certified by NYS. They are the ones who should be making the determination if a motorcycle is safe to operate, not the New York State Police who have no special knowledge of the factors that affect the safety of the riders. Additionally, if the NYS Police are truly concerned for the safety of the riding public, they would be far better off checking the operators of other motor vehicles that seem to cause most of the non-alcohol related accidents involving motorcycles. It is well established that the best way to prevent motorcycle accidents is through education of all people who use the roads.

It is my understanding that a police officer is supposed to have reasonable suspicion or cause to detain anyone who is legally using our public roadways. This is guaranteed by the Constitution of the US. The "Trooper 5060" program denies this right for anyone riding a motorcycle in the area of these stops.

I have special knowledge of these facts because I am the legislative coordinator of the Southern Tier Chapter of ABATE of NY (American Bikers Aimed Towards Education) and have been riding motorcycles since 1971. I am also an Assistant Chief with the City of Binghamton Fire Department and have been to my share of accidents over the years. I am a registered Republican who voted for you in the last election (not that this should influence your decision) and am passionate about protecting the safety and rights of motorcycle riders.

I urge you or your staff to talk with Rep. Sensenbrenner about HR 904 and sign on as a co-sponsor of this resolution. I would also appreciate any feedback or comments that you may have in regards to this situation. Please feel free to contact me by mail or phone (607) 760-4594.

Thank you for your consideration and time.

Respectfully submitted,

Stephen Faughnan



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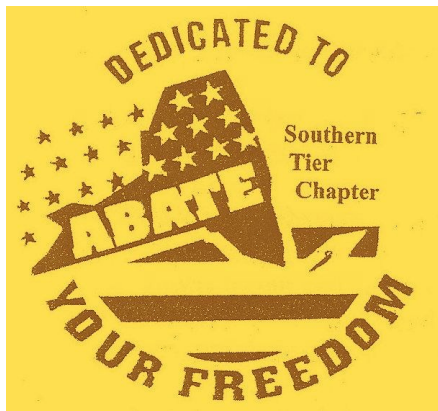
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**ABATE OF NYS, INC., SOUTHERN TIER CHAPTER**

PO Box 2441  
Binghamton, NY 13902

*American Bikers Aimed  
Towards Education*

We're on the Web!  
[abateofstny.org](http://abateofstny.org)



**Next Meeting: May 12<sup>th</sup>**



**MAIL TO:**

**ABATE OF NEW YORK, INC.  
PO BOX 2441  
BINGHAMTON, NY 13902**

\_\_\_\_\_ Full Membership—\$25 per year—includes Membership Packet, Newsletter, all benefits in accordance with state by-laws

\_\_\_\_\_ Associate Membership—\$20 per year—available only to additional members of a full member's household (no newsletter), all benefits in accordance with state by-laws

\_\_\_\_\_ Member-at-Large—\$25 per year—same benefits as full member only you elect not to affiliate with a local chapter

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State \_\_\_\_\_ Zip \_\_\_\_\_ County \_\_\_\_\_

Chapter selected Southern Tier Chapter or \_\_\_\_\_ Member-at-Large

Email newsletter      Email address \_\_\_\_\_

I agree to comply with ABATE of New York's by-laws and promote motorcycle education, legislation, and activities in accordance with ABATE of New York, Inc.

Credit Card No. \_\_\_\_\_ Expiration Date \_\_\_\_\_ (VISA or MC only)

Signature \_\_\_\_\_ Date \_\_\_\_\_

Membership appl. taken by: # \_\_\_\_\_ Name: \_\_\_\_\_

Patch Due: \_\_\_\_\_ Pin Due: \_\_\_\_\_ New: \_\_\_\_\_ Year: \_\_\_\_\_ New Member's No.: # \_\_\_\_\_

**ABATE of New York, Inc. Member's Receipt**

Date: \_\_\_\_\_ Received from: \_\_\_\_\_ Membership # \_\_\_\_\_

Southern Tier Chapter 1 Year Membership accepted by: \_\_\_\_\_