

# Motorists' Rights... Matter!

It's We the People, not We the Sheeple!

## Is LaHood a Safety Czar, or our new Godfather?



**By Chad Dornsife, Executive Director**  
Best Highway Safety Practices Institute  
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The United States Department of Transportation has become a classic example of government gone wrong. Its charter is to assure a healthy and robust transportation infrastructure that is operating safely for the common good. What it has turned into is a crime syndicate operated by, and for, special interest that depend on the USDOT's malfeasance, misfeasance, nonfeasance and disregard for our Constitution and the rule of law. Which begs the question is the head of the USDOT a Safety Czar or a Godfather?

Early after the USDOT's creation in 1966, its mission became duplicitous in that Congress also charged National Highway Traffic Safety Agency (NHTSA) to market the merits and success of its National Maximum Speed Limit (NMSL) after Congress had vested heavily in creating an army, with support staff to enforce it, when the data was showing nothing could have been further from the truth. Thus, NHTSA, the USDOT agency charged with these responsibilities began manipulating the data to show success, when that wasn't sufficient, they started manufacturing the data and supporting studies.

Over time, NHTSA's with its ends justifies the means ethos, manufactured data, false cause and affect safety myths, and the aid of billions of dollars and ubiquitous unchallenged PSA's created to mislead our engineering and public safety institutions, the judiciary, academia and We the People, and with its conspirators, it ultimately misled Congress. NHTSA and its beneficiary special interest have parleyed this costly Public Safety Face into a controlling interest in the USDOT's conduct, to the clear detriment of safety and due process.

One real casualty of this institutionalization of deceit running public policy and every act being predicated on pretext or an invented value, enforcement threshold or condition. In the last 30 years, we have also lost those that knew why we do engineering studies, and what they represent, what due process means and how it is it applies to law enforcement, and courts that care about either.

Our lost ethos, this 1972 IACP/NHTSA describes abhorrent practices that today are lauded by the IACP and the USDOT; cities have either automated them, or agencies deploy special enforcement teams to write citations en masse, month after month and year after year, at the same locations.

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*SELECTIVE TRAFFIC ENFORCEMENT MANUAL*  
*International Association of Chiefs of Police, Inc.*  
*Highway Safety Division*

*January 1972*

*Re: FHWA Library #: TEA1400.F72*

*U.S. Department of Transportation*

*National Highway Traffic Safety Administration*

*Washington, D.C. 20590*

*DOT HS-800 701*

*"The most visible result of quantitative, revenue-oriented, nonselective traffic law enforcement policies is the persistent use of "sitting-in" enforcement techniques. Sitting-in usually occurs at locations which, in police jargon, are referred to as "duck ponds" or "cherry patches". The sitting-in practices are particularly objectionable when two or more enforcement units group together to work an intersection which generates frequent driver violations. Usually, where this situation occurs, the officers are doing nothing more than reaping the harvest of inadequate or poor traffic engineering. These locations frequently encourage noncompliance by the motorist to traffic signals or turning regulations. Very often, however, the real culprit is faulty traffic engineering rather than the driver. Poor positioning of signals and channelization deficiencies are characteristically present at the "duck ponds".*

Make no mistake about it, "cherry patches" and "duck ponds" based on poor practices and under posted limits have now become a way of life for our enforcement agencies, not safety. NHTSA in the 90's went so far as to change the way it reports FARS data to exclude poor engineering practices, roadside hazards or design deficiencies; all causation is now driver "related".

### ***Study: Bad roadways big factor in traffic deaths***

*<http://www.cnn.com/2003/US/06/23/dangerous.roads/index.html>*

*From Kathleen Koch CNN Monday, June 23, 2003 Posted: 5:07 AM EDT (0907 GMT)*

*WASHINGTON (CNN) -- A new study finds roadways -- not driver error or faulty vehicles -- to be a significant factor in crashes that claimed more than 24,000 lives between 1998 and 2001.*

Some believe the Reader's Digest Magazine and AAA's numbers here cannot be supported because of the small sample size. What are not disputable are the accident reductions that were obtained, and when this program was later expanded to other locations, the results were the same.

More importantly, what the AAA of Michigan failed to realize they were observing was an omnipresent legacy of unsafe practices, no standards oversight, or mandated roadway safety audits being done. Nor did their estimates include whole categories of unsafe practices that have become institutionalized. We believe these numbers are more than double the AAA estimates.

This last month we have been busy attempting to respond to an incredible onslaught of purported safety measures where the USDOT is moving forward to expand its police powers over We the Sheeple. Speed limits and distracted driving alone took eleven pages to generalize the why not.

### ***USDOT Distracted and Operating Under the Influence (extracts)***

*LaHood announces Trojan Horse Safety Summit being delivered in September! The universal solution is always new laws and ever growing justifications for traffic stops, improvements in writing citations en masse and curtailing due process. One thing that*

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would shock most Americans is the fact that writing traffic citations, as practiced on our highways, has been documented to have a virtual zero effect on accident rates. Well over 90 percent of the more than 50 million citations written each year are issued to those according to the FHWA; et al are otherwise driving safely.

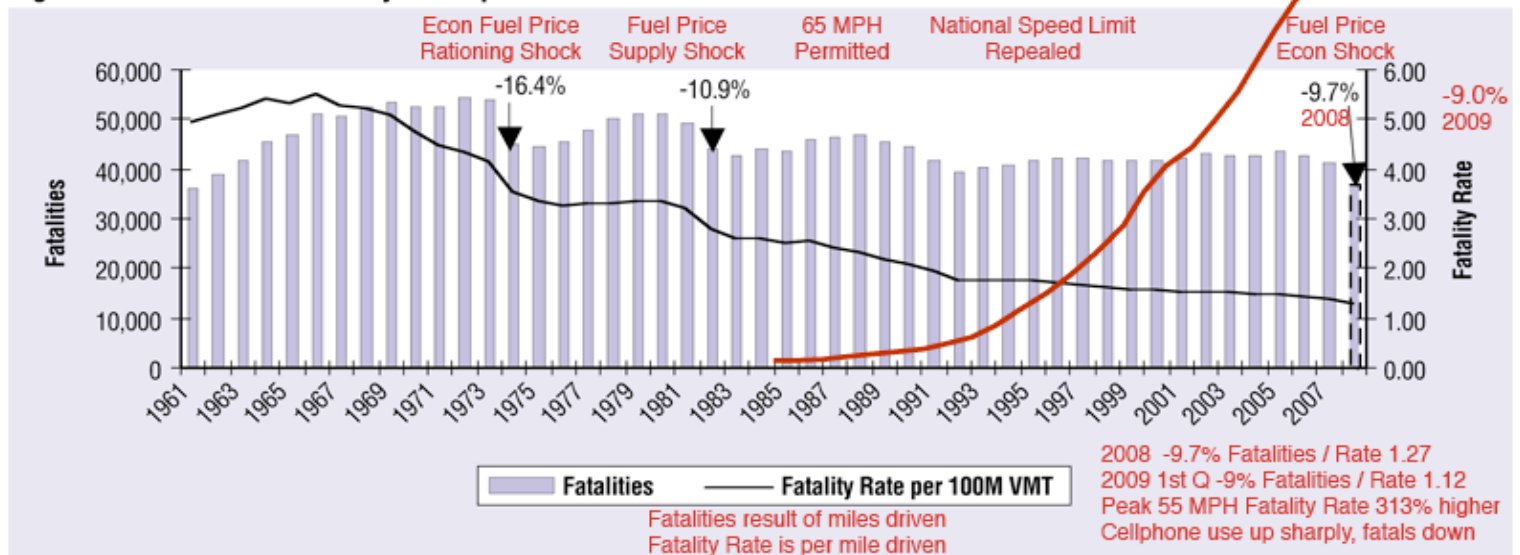
This is where the National Highway Safety Administration, NHTSA, AKA the Federal Agency of Urban Myth shines. With billions of public treasure and billions more from insurance companies over the decades they have created a public cause and effect perception that is patently untrue. The special interests have taken over our public safety policies to a point that true safety programs go unfunded and neglected. This is where it gets scary, because what is killing us is not attributed.

Who will we find manning this Trojan Horse Summit? The guest list is a who's who of regulators that benefit from regulating, special interest, empire and political favor seekers and those that profit from them and their minions; none represent the 'Common Good', 'We the People' or the 'Rule of Law' or empirical scientific findings or our safety. NONE!

This USDOT Safety Summit is like a national meeting of McDonald's franchisees being organized to represent the rights of cattle.

The National Highway Safety Administration (NHTSA) chart here clearly shows that there is NO CORRELATION between their myriad of crisis claims, safety programs and the actual accident data. Cell phone use increased exponentially and in the month of December 2008 10 billion texts were sent, with zero effect on the rates, not even a bump, likewise, for the other issues in the headlines recently. The greatest correlation to the number of fatalities and fatality rates is the economy and levels of discretionary driving, roadway and vehicle design, not the number on a sign or the regulation of a reasonable person acting responsibly.

Figure 1: Fatalities and Fatality Rates per 100 Million VMT From 1961 - 2008



1961-1974: National Center for Health Statistics, HEW, and State Accident Summaries (Adjusted to 30-Day Traffic Deaths by NHTSA); FARS 1975-2007 (Final), 2008 Annual Report File (ARF); Vehicle Miles Traveled (VMT): Federal Highway Administration. <http://www-nrd.nhtsa.dot.gov/Pubs/811172.pdf> source: [www.bhspi.org](http://www.bhspi.org)

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*Early in 2008, in a press release, we made two based-in-fact forecasts;*

*1. That 2008 would have both the lowest number of those killed and fatality rates of all time; and*

*2. That every public agency that could issue a press release, would claim credit for their program du jure's reductions in fatalities which they had nothing whatsoever to do with.*

*Both were right on point and came true!*

*Which prognosticator has the greatest direct correlation to fatality rates? It's the health of the economy, unemployment rates, the cost and availability of fuel and how these affect travel patterns, vehicle choice, occupancy and miles driven. It's not traffic enforcement, the number posted on a sign, zero tolerance, roadblock, check your papers or pretext stops, devices or method of communication, double fines or the age of the driver.*

*During periods of a system shock, the highest risk discretionary driving all but ceases. Therefore the drop in fatalities will always be greater than the reduction in miles driven. During these shock periods vehicles and roadways improve and by the time the economy recovers, the rates appear to plateau for a few years, as they gradual return of the highest risk activities are mitigated for by the improvements. Thus, when charted over time, the overall rates continue their historical decline virtually unabated.*

The Best Highway Safety Practices Institute came into existence because of a common thread that has remained constant no matter what the issue was. If you want safe roads or to eliminate enforcement abuses and assure fair laws and courts the solution is fact based best practices applied uniformly with deference to our Constitution, and its protections for the rights of an individual.

Simply, if those that we have entrusted our lives and well being followed our laws we wouldn't have enforcement traps, kangaroo courts and thousands dying and being injured each year unnecessarily. We need your help and knowledge is our best weapon against tyranny, but others prefer tea bags, either way silence is not a solution. Get involved!