

# The NMMRO Newsletter



Freedom And Independence Starts Today

New Mexico Motorcyclist Rights Organization  
PO Box 27673 Albuquerque, New Mexico



Volume 9, Issue 6  
Nov/Dec 2018

## Together we are Strong



**NM POST 49**  
11005 Central Ave NE Albuquerque, NM 87123

# NEW MEXICO MOTORCYCLE RIGHT ORGANIZATION

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## The NMMRO Board

Chairman.....	Raymond Gallegos
Vice Chairman....	Annette Torrez .
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WNMMRO.....	Jim Smith

## NMMRO Membership

- Single Membership \$20.00
- Couples Membership \$30.00
- Corporate Membership \$100.00
- Renewals: Single \$15.00
- Couple \$20.00

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State and Zip: \_\_\_\_\_ Email \_\_\_\_\_

Please send info & checks to: NMMRO, PO Box 27673, Albuquerque NM 87125-7673

[WWW.NMMRO.ORG](http://WWW.NMMRO.ORG)

## Vice Chair Letter

Please help me to welcome Raymond Gallegos as our new chairman of the New Mexico Motorcycle Rights Organization.

Raymond has served as co and vice chair on the board for the last 4 years. He has and continues to be an asset with his professionalism, respect, gift of speech and the written word. I am excited to see the heights that he will take our organization and community with his knowledge. I will continue on the board as vice chair, and will continue to follow the biker down and report crash statistics. I have been a part of the NMMRO for 9 years first as secretary, then as chair. Other than my son Chris, there is nothing I have been prouder to be a part of then the work, accomplishments, victories and even the defeats of the NMMRO.

Through the biker down we have felt the pain of loss, struggle of survival and the aftermath of a crash. The families of the fallen, the survivors of crashes have also become our family. I truly feel like you are my family. There has been a lot of good memories and some bad, but I wouldn't trade one minute of all my experiences. I am excited to continue to serve on the board with an amazing board of directors and Ray as our lead. The best is yet to come. To date for 2018 we have had 272 crashes reported to the NMMRO, with those 36 were fatal. In 2017 at this same time we had 290 crashes reported to the NMMRO with 49 of those fatal. Reporting to the NMMRO on motorcycle crashes has slowed down and many times we catch it because someone has posted it. Please continue to share motorcycle crash information with us, these statistics are very important when it comes to addressing issues with safety awareness and legislation.

Patrick Whitley , David and Beverly Covert from CNMMRO and myself attended the Motorcycle Riders Foundation two day Meeting of the Minds Conference in September in Denver. MRF is our national voice for all the states to protect our freedom and life style. 36 states attended the seminar and reported on issues they are facing, their legislative victories and defeats. We reported on the profiling and discrimination we are experiencing from law enforcement in our area. We got a lot of questions and comments on this issue; they were impressed how we have tackled this issue head on.

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There was a seminar on the history of first freedom fighters which began in 1965, and they followed freedom fighters still standing for our rights today. They shared about the first freedom rides, and how hundreds of motorcyclists got arrested because they were protesting helmet laws, profiling and discrimination (all the same issues we still face today). In 1978, 25 states repealed their helmet laws. New Mexico was the fifth state to repeal their helmet law. Hardtail, MRF Chair shared that his 11 year old son joined him in Sturgis this year, and how he experienced the trip through the eyes of his son who has also begun his love of motorcycles. After the seminar he came up to greet us; we shared about our JR NMMRO, he was really excited about that and said "The Children are our future."

There was a seminar from the National Highway traffic administration NHTSA. They gave an excellent report and we came back with some great ideas to work on in New Mexico.

Thank you to the Northern New Mexico Council of Clubs and Bob Lindbloom from Brothers of Allegiance MC for their donation to help cover the cost of the seminar and expenses of the trip.

Ride safe all. I am proud to be a part of such an amazing motorcycle community.

Annette Torrez NMMRO Vice Chair



## JR NMMRO

### Who We Are!

“We are advocates. We are young, ambitious, humanitarians, artists, and students. We are unique individuals who are ready to see change in this world and are eager to pursue it. Our team is compiled of passionate motorcyclist who want to make a difference in our future by empowering our youth with positive values and citizenship”

I am honored to take up the roll as our New Mexico Rights Organization Jr Program Leader. I believe the first paragraph says it all about our future leaders in the motorcycle community. I am excited for the future of this program. As we have a lot to learn. I feel like bringing core values such as, respect, loyalty, compassion, courage, honor is just the tip of the iceberg of today’s Jr members. I enjoy in working with our Jr members to help mold the future of our community. Our Jr NMMRO will be working together to learn what it takes to be leaders in their own communities. Whether it be at school, their neighborhoods, or even their circle of friends. Stepping up to stand for what is right. Being actively engaged and servicing those in need. Not only learning motorcycle safety but teaching it as well. I would like to see us working together with other Jr programs to help build that bond in our community.

Our Jr leaders have already done so much. Anything from helping children in need to feeding the homeless. They are actively involved in our own events. For example handing out candy and promoting motorcycle safety and awareness with the NMMRO at this year’s Hinkle Family Fun Center Fall Festival, and passing out candy at Hellfighters annual Boo Run. We will gladly be accepting new members and encourage anyone who is interested to come to a meeting to see what we are about. Meetings will be held the Wednesday evening before the regular NMMRO meeting. For further information please contact Jim “Devil Dog” Baca @ 505-515-8566. Thank You for this opportunity to work with our youth.

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## Voting on Change

I have only voted a few times in my life. My little "I Voted" sticker really means a lot to me. Now, before you roll me under the bus for my bad voting record, understand I have only been a US Citizen for about 6 years. It was truly a privilege to vote and be part of the process. When I looked at the choices I had for who would represent me one of my first questions was "do they ride motorcycles?". If they did - it was the first big check mark on the way to endorsing them for the position. Please understand why;

If they ride a motorcycle - they have taken risks in life. They have likely fallen over at some point and managed to get up and get back at it. That tells me they have character. If they have ridden, they have been discriminated against and it is good to know what that feels like. If they have ridden - they know someone that did not make it - that means they have empathy and understanding. If they have ridden - they have experienced all the elements that mother nature can throw your way. That shows a healthy respect for our environment and shows tremendous fortitude and resolve. If they have spent any time on a motorcycle they know their family includes people they have never met that will stand for them and beside them when asked or called upon. If only everyone would take a ride with us.

After that box is checked then I start to look at what else they stand for and what else they can do to be a good steward of the taxes they collect and how they use them to keep us safe, educated and protected. When we talk about rights for motorcycles, they will know what that means and how to deal with it. They will know we should not be singled out, harassed or dismissed. They know we are one of the most charitable groups in the free world. They will know we come to the aid of our fallen brothers and sisters. They will know we stand and fall together. They will know.

Thank you all for keeping up the fight. Here is to some cool winter riding, hot coco, turkey and lots of presents. Here is to all of you that do what you do. We hope to see you at the shop on your next visit.

Thank you,

David Santa Fe Harley-Davidson david@santafeharley.com





Incomplete Data When the authors of a report put forth only some of the data available them, while ignoring additional important data on the subject of the report, it calls into question the integrity of the results of that report. None of these facts are intended to argue against motorcycle helmet use, but rather to demonstrate that a mandatory motorcycle helmet law is not the quintessential solution to motorcycle safety.

**Fact While many point to the recent rise in motorcycle fatalities as proof that the U.S. needs stricter motorcycle helmet laws, there is no evidence to support this premise.** For the past two years, traffic fatalities as a whole have been on the rise. According to NHTSA, motorcycle fatalities rose 5.1% between 2015 and 2016. However, their same data shows that motor vehicle fatalities as a whole rose by 5.6%. Like motorcyclists, passenger car occupant fatalities rose 5.1% between 2015 and 2016. SUV occupant fatalities rose by 5.2%, and van occupant fatalities rose by 8.4%. Despite this rise in fatalities for car, SUV, and van occupants, no one is suggesting that that we implement helmet laws for the operators and occupants of cars, SUVs and vans. Why are such suggestions being made with regard to motorcyclists?

**Fact Despite assertions to the contrary, there is no evidence to suggest that the presence or absence of mandatory motorcycle helmet laws had any discernible impact on motorcycle fatalities in 2016.** In its latest publication concerning motorcycle crashes, NHTSA analyzed motorcycle traffic fatalities for the year 2016. There were 5,286 motorcycle related fatalities in 2016. 2,102 of those fatalities occurred in the 19 states that have a mandatory motorcycle helmet law, as well as in the District of Columbia. 3,184 fatalities took place in the 31 states that either allow adults to choose whether or not to wear a motorcycle helmet, or simply have no law whatsoever on the matter. When we factor in motorcycle registrations we get a more accurate depiction of what those numbers mean. Of the 8,679,380 motorcycles registered in the United States in 2016, 5,199,042 were registered in states that allow adults to make their own choice when it comes to wearing helmets. The other 3,480,338 motorcycles were registered in states that have a mandatory helmet law. That means that the fatality rate per 100,000 registered motorcycles was 60.39 in states with mandatory motorcycle helmet laws, while the fatality rate per 100,000 registered motorcyclists in the states that allow adults to make their own choice was 61.24. That is a less than one percent difference in motorcycle fatality rates between the two groups of states.

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**Fact** There is reason to doubt the veracity of the numbers cited in the latest NHTSA report on motorcycle traffic fatalities, at least when it comes to motorcyclists using the roads and highways on a regular basis. The report starts off by stating that “for the purposes of this fact sheet, motorcycles include two- or three-wheeled motorcycles, off-road motorcycles, mopeds, scooters, mini bikes, and pocket bikes.” Data from accidents involving off-road motorcycles, mopeds, scooters, mini bikes, and pocket bikes, should not be used in any serious study of motorcycle fatalities, nor should such data be cited in any serious discussion on ways to reduce motorcycle traffic fatalities; doing so would be comparable to using data from fatalities involving four-wheelers and go-carts to formulate safety strategies for our nation’s highways.

**Fact** Historically, NHTSA has published data on motorcycle crashes and fatalities in a subtly but importantly different way than it has on data concerning motor vehicle crashes and fatalities as a whole. For instance, in its overview of fatal motor vehicle crashes published in October of 2017, NHTSA reported that there were 37,461 people killed in crashes on U.S. roadways during 2016, which was an increase from 35,485 in 2015. They went on to point out that the 5.6-percent increase in motor vehicle fatalities in 2016 is lower than the 8.4-percent increase from 2014 to 2015. No such language appears in NHTSA’s publication concerning 2016 motorcycle fatalities, despite the fact that the 5.1% increase in motorcycle fatalities in 2016 is lower than the 8% increase in motorcycle fatalities from 2014 to 2015.

**Fact** Fatalities due to alcohol impairment are an overall traffic safety problem, not just a motorcycle problem. Because NHTSA issues a yearly report which focuses only on motorcycle fatalities and injuries, it is easy for people to point to that yearly report and conclude that certain factors which contribute to traffic fatalities are unique to motorcyclists. Nothing could be further from the truth. For instance, in its latest report on motorcycle traffic fatalities, NHTSA reports that 25% of motorcyclists involved in a fatality in 2016 were alcohol impaired. They claim that it is the highest percentage of any other vehicle classification. Yet in its overview of fatal motor vehicle crashes published in October of 2017, NHTSA reported that 28% of overall motor vehicle traffic fatalities in 2016 were due to alcohol impairment. That is a 5.6% increase from 2015 according to NHTSA. Passenger cars saw a 3.1% increase from 2015 in fatalities due to alcohol impaired drivers. Light utility trucks saw a 3.6% increase. Vans saw a 23.3% increase, while large trucks saw a 50.9% increase. However, between 2015 and 2016, there was only a 0.1% increase in motorcycle fatalities due to alcohol impaired drivers. The MRF believes that any traffic fatality due to alcohol impairment is one too many. However, it is important to point out that alcohol impaired driving is not a problem unique to motorcyclists.

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Here's a little article about us:

Heather and I made a leap of faith and left very comfortable jobs at a big Plaintiffs' firm to open our own law firm in early 2017. We started from scratch and took a huge risk in order to build a firm for ourselves, on our terms. Throughout our two years, we have been very fortunate and blessed to represent a good number of motorcycle riders injured by the negligence of others. We have found those clients to be the most grateful, understanding and charitable.

Heather is a graduate of New Mexico School of Law and has been practicing law for over 7 years. I am a graduate of Texas Tech School of Law and have been practicing for close to 19 years. Our law firm is entirely focused on personal injury cases. We are a one-stop firm, meaning, we handle cases from the beginning, through negotiations and all the way to trial if necessary.

Heather and I pride ourselves in the close relationships we build with our clients and with our accessibility as lawyers. We keep a small caseload by choosing our clients carefully. We believe in being open and honest with clients, whether we have to deliver good or bad news. Our main goal is to take some of the stress of a very stressful situation off of our clients and navigate the insurance world for them. And of course, to get them the highest recovery possible.

Eva Blazejewski



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## The Holidays Mean More Distracted Drivers on the Road

It's the holiday season! For most of us, that means spending more time with our families, staying in and enjoying our traditions. For the Roadrunner Law Team, as for many of our friends in the motorcycling community, it's also a time for giving back to charitable organizations. But the holiday season also means that most of us will be spending more time on the road, driving to shops and stores and holiday attractions along with thousands of our friends and neighbors. And with that increase in traffic comes an increase in traffic wrecks—especially those caused by distracted drivers.

I myself was the victim of a distracted driver a couple of years ago shortly after Thanksgiving. While driving near the Coronado mall, I slowed for traffic in front of me, while the young driver behind me gawked at the over-full mall parking lot and barreled into my Honda Pilot at about 40 MPH. I was lucky that I wasn't on a bike—if I had been, I certainly wouldn't have walked away from the crash in as good shape as I did. The unfortunate reality of the holiday season is that distracted driving is a real and pervasive threat because of "increased traffic and busy schedules," not to mention texting drivers and drunk drivers returning home from the many holiday parties that will be happening all over the city.

So for motorcyclists, the holidays don't just mean a festive time to enjoy family—they also mean a time of increased diligence on the road. Anytime you're riding near busy commercial centers, please be on high alert this holiday season. Malls and shopping centers are prime "texting-while-driving" locations. Drive defensively, and if you see someone driving while they're on their cell phone or driving in a reckless manner, don't hesitate to report to 242-COPS. It's also especially important to be diligent in the late evening hours, when office parties are breaking up and people are driving home buzzed or drunk. Be especially cautious near restaurants that cater to large parties.

Finally, this holiday season, make sure your insurance coverage is up to date and that you carry the coverages you need. As always, Roadrunner Law Firm is happy to look over your insurance policy at any time to give you advice about whether you carry the right kinds of coverage in the right amounts to protect you and your family in the event you become a victim of a distracted driver.

We wish everyone a happy and SAFE holiday season!

Heather K. Hansen, Attorney—Roadrunner Law Firm



## Fourth Amendment

I have been asked to pen a short article about Fourth Amendment issues by Raymond Gallegos, Chairman of the NMMRO.

This is an important topic especially for patch-holders who are more likely to be harassed by the police. Section 10 of the Bill of Rights of the New Mexico Constitution is also important because the New Mexico Courts, in my opinion, have a stronger effect on the protection of bikers than Federal Courts.

The Fourth Amendment of the Bill of Rights and Section 10 of the New Mexico Constitution both address what is needed for government agents to search our persons, papers, homes and personal effects from unreasonable searches and seizures. Basically, the government agents need a warrant except when the courts have created an exception to this requirement. This list of exceptions is unsurprisingly long.

I will concentrate on the exceptions that apply to us if we are stopped by law enforcement while riding our motorcycles. Importantly, law enforcement has to have a reason to stop us. The reason for this is that when we have been stopped, our person has been seized or detained. You can ask the officer why they have stopped you. They need to have a valid reason such as speeding. If they cannot articulate a valid reason for the stop, then the stop is invalid. You can tell the officer have a good day and leave. If the officer persists, you can ask the officer if he/she is arresting you and why. An exception to this is a road block where every motorist is stopped.

Let us suppose the officer says you were speeding. When you are stopped, it is not important whether or not you were speeding, that argument is for a later date in court. Since the officer has articulated a valid reason for stopping you, he or she can ask for registration, proof of insurance and your driver's license. My advice is to have these items in an easy-to-reach place so you do not have to be rummaging around in your saddle bags to locate them.

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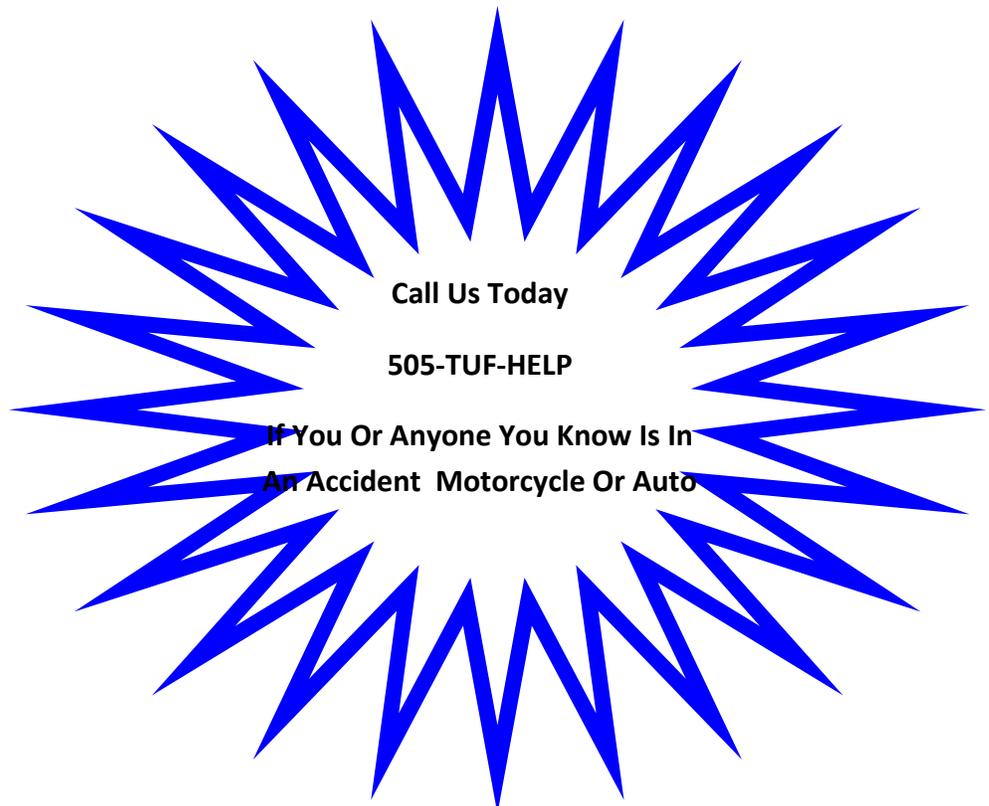
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Stand away from your bike at a distance where you cannot reach anything on your bike that could arguably endanger the officer. The officer then may ask if you mind if they search your bike. Politely decline to have your bike searched. Under these circumstances, you do not need to consent to search. Unless you have committed an arrestable offense or have an outstanding warrant, just let the officer write the citation (to which I advise you plead not-guilty) and ride off.

You have a problem if you are arrested or if you have no current insurance. Any vehicle or motorcycle that is impounded can be the subject of an inventory search. Have your paperwork in order.

Safe Riding,

Cloyd G. Hinkle



# NEW MEXICO MOTORCYCLE RIGHT ORGANIZATION

## Calendar of Events

Date	Event	Location
11/17 Noon	NMMRO MEETING	POST 49– Albuquerque
11/17	Disowned RC and Cabaneros MC Bike Night	See Attached Flyer
11/18	Onagers MC Duke City Toy Run	See Attached Flyer
12/1	Santa on Steel—APGIII MC	See Attached Flyer
12/8	5th Annual BMC Coat Drive	See Attached Flyer
12/4 7:00 pm	CNMMRO Meeting	1933 Brewing Company 3755 Southern Blvd SE, Rio Rancho, NM 87124
12/15	NMMRO Meeting	No meeting until Jan

Please email your event flyer to [Mzscarlet7@gmail.com](mailto:Mzscarlet7@gmail.com) so we can get them in the newsletter

## Colors Welcome

- |                           |                    |                  |
|---------------------------|--------------------|------------------|
| * Leo's Nightclub         | * Rt 66 Casino     | * Smokehouse BBQ |
| • American Legion Post 49 | * BJ's Brew House  | * Bubbas         |
| • Ojos Locos              | * Rio Grande Grill | * Sierra Blanca  |
| • Rio Bravo Brewery       | & Tap room (ABQ)   | (Moriarty)       |
| • Molly's                 |                    |                  |
| •                         |                    |                  |



**DISOWNED**  
RC

**&**

**CABAÑEROS**  
MC

**PRESENTS**

**COLD STEEL HELPS HEAL**

**A "Leave the Cage at Home" Bike Night**

**6:00pm Saturday, November 17th, 2018**

**Come out to Albuquerque Press Club**

**to support Doc from the Cabaneros!**

**FOOD/DJ/FUN**

**BROTHERHOOD**

NEW MEXICO MOTORCYCLE RIGHT ORGANIZATION

4TH ANNUAL

# DUKE CITY Toy Run

ISLETA resort • casino

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SUNDAY  
NOVEMBER 18TH 2018

PLEASE JOIN US WITH YOUR FAMILY AND CHILDREN.

**ONE** UNWRAPPED *Toy* **and** **TWO** CANS OF *Food*



STARTING AT ISLETA AMPHITHEATER  
REGISTRATION HELD FROM 9:30AM TO 11AM  
KICK STANDS UP AT 11:30AM  
ENDING AT ISLETA RESORT AND CASINO  
DOUBLE YOUR DONATION FOR A FREE GIFT



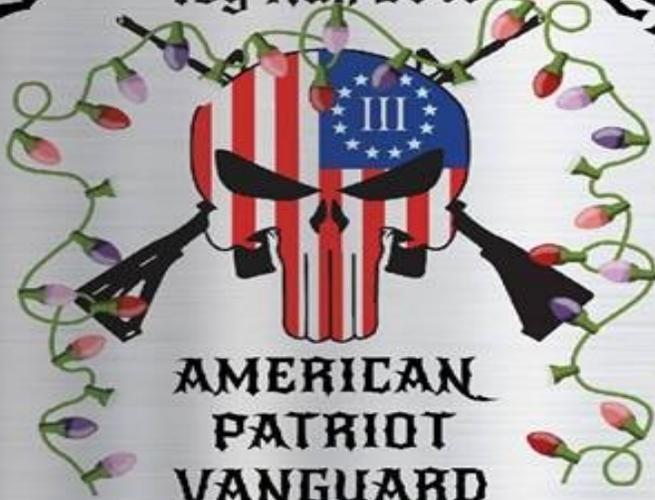
\* PLEASE BRING ALL TOYS TO ISLETA AMPHITHEATER

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# Santa on Steel

3rd Annual  
Toy Run 2018



AMERICAN  
PATRIOT  
VANGUARD  
III%

# DEC 1 2018



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**\$15** Per bike  
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(no stuffed animals pls)



4509 Alameda Blvd NE  
Albuquerque, NM 87113

**Start: Indian Motorcycle (IMA)  
Reg: 10:30am - KSU: 12:00pm  
Dual Location Black Jack Run  
Event End at (IMA): 4:00pm**

**Food, Music, 50/50  
and Raffles!**



# BMC

## COAT DRIVE

SATURDAY  
**DECEMBER 8TH**



**JOIN US FROM 10AM - 3PM**  
**DONATIONS NEEDED**

**NEW SOCKS • JEANS • NEW UNDERWEAR**  
**COATS • NEW UNWRAPPED TOYS**

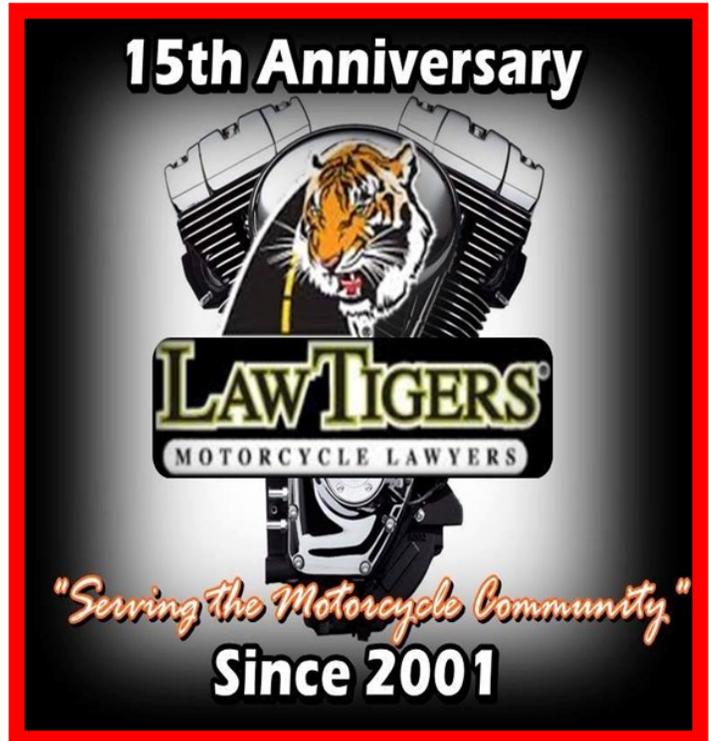
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## Standing out when you ride is a good thing.

**Over 87,000 riders are injured on the road each year.**

Standing out will help you stay safe. Most accidents happen because other vehicle drivers just don't pay attention.

In the event of a crash, a motorcyclist is more vulnerable and in much greater danger physically than a driver. Because I'm an attorney and rider too, I have an intimate understanding of the road, its challenges and how to help.

**Stay safe on the road.**  
The next time you go out...

- wear proper protective gear
- add reflectors & brighten your headlights
- always use running lights
- make the front, back and sides of your bike bright!

Riders Representing Riders.

*Don Barry*  
2012 New Mexico Attorney

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**When the traditional hearse just isn't enough.  
How we live is how we should be remembered.**



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