

## **U.S. HOUSE JOINS SENATE IN OPPOSING MOTORCYCLIST PROFILING**

On December 23, 2022, in one of the last actions of the 117th Congress before adjourning, the U.S. House of Representatives approved H. Res.366, "Promoting awareness of motorcyclist profiling and encouraging collaboration and communication with the motorcycle community and law enforcement officials to prevent instances of profiling."

The House now joins with the U.S. Senate in passing separate resolutions opposing the discretionary profiling of motorcyclists by law enforcement, defining it as; "motorcyclist profiling means the illegal use of the fact that a person rides a motorcycle or wears motorcycle-related apparel as a factor in deciding to stop and question, take enforcement action, arrest, or search a person or vehicle with or without legal basis under the Constitution of the United States."

Sponsored by Rep. Tim Walberg (R-MI), House Resolution 366 garnered 103 bipartisan cosponsors and is similar to Senate Resolution 154 passed by the U.S. Senate in 2018, which likewise urges state law enforcement officials to condemn the discriminatory policy.

Accordingly, H.Res.366 states; "Now, therefore, be it Resolved, That the House of Representatives –

1. Promotes increased public awareness on the issue of motorcyclist profiling;
2. Encourages collaboration and communication with the motorcyclist community and law enforcement to engage in efforts to end motorcyclist profiling; and
3. Urges State law enforcement officials to include statements condemning motorcyclist profiling in written policies and training materials."

Meanwhile, in addition to the federal efforts to prevent anti-biker profiling, the five states of Washington (2011), Maryland (2016), Louisiana (2019), Idaho (2020) and most recently New Hampshire (2022) have all enacted laws at the state level to curb profiling.

## **NHTSA CHALLENGED ON ANTI-MOTORCYCLIST PROFILING**

On December 20, 2022, the U.S. Senate and House of Representatives agreed to a \$1.7 trillion omnibus spending measure that will fund the federal government through September, avoiding a government shutdown, but attached within the funding section for the Department of Transportation is language from House Report 117-402 inserted at the request of Rep. Susie Lee (R-NV) that questions the National Highway Traffic Safety Administration (NHTSA) about their role in the promulgation of anti-motorcyclist profiling;

"The Committee is concerned that National Highway Traffic Safety Administration (NHTSA) may be conducting activities that encourage states to adopt legislation, regulation, or other policies that unjustly profile motorcycle riders. The Committee directs NHTSA to report to the House and Senate Committees on Appropriations on the extent to which the agency works with states on motorcycle passenger policies within 120 days of enactment of this Act."

## **SAVE THE PATCH: MONGOLS M/C KEEP THEIR TRADEMARK LOGO**

The Mongol Nation Motorcycle Club can keep their trademark logo, a backpatch typically worn on jackets and vests by members, thanks to a Ninth Circuit ruling handed down on January 6, 2023. But the three-judge panel also declined to overturn the 2018 criminal conviction of the organization on federal racketeering charges, reports Courthouse News Service.

Stephen Stubbs, the Mongols general counsel, called the ruling "a victory not only for the Mongols Motorcycle Club, but for all motorcycle clubs, freedom, and America as a whole."

As backdrop to the now-infamous courtroom battle with far-reaching implications for America's biker community; after a decade-long prosecution 77 members were convicted, as was the Mongols organization itself, under the Racketeer Influenced and Corrupt Organizations Act (RICO). A federal jury ordered the club be fined \$500,000 and forced to forfeit a large stockpile of vests, guns and ammunition seized by federal agents in raids. The jury also decided the club should forfeit their trademarked patch over to the government.

Months after the verdict, U.S. District Judge David Carter said the Mongols could keep their trademark, ruling that such a forfeiture would violate its First Amendment rights to free speech and association, and would also constitute an excessive fine prohibited by the Eighth Amendment.

Both parties appealed. The Mongols argued the organization wasn't an indictable "person" under the RICO statute. The federal government asked the Ninth Circuit to simply dissolve the Mongols' trademark, effectively allowing anyone to buy and sell products with the design.

In a unanimous opinion, U.S. Circuit Judge Holly Thomas wrote that the RICO law's forfeiture provision only allows the government to seize property, not destroy it.

Attorney Stubbs applauded the appellate ruling, saying that the "Mongol Nation is thrilled to push back against government overreach and win this important freedom of speech battle, first in the federal district court, and then at the Ninth Circuit Court of Appeals," and adding that "The Mongol patch is a symbol of the esteemed brotherhood of its members, and the Ninth circuit stood strong against the government's unconstitutional attempt to ban and extinguish important symbolic free speech."

## **HARLEY-DAVIDSON GOING ALL-ELECTRIC**

American motorcycle company Harley-Davidson, known for its large-engine heavyweight cruiser motorcycles, is transitioning to become an all-electric brand, explains its CEO Jochen Zeitz.

"At some point in time, Harley Davidson will be all-electric," he told Dezeen in an interview. "But that's a long-term transition that needs to happen. It's not something you do overnight."

The Motor Company launched its first electric motorcycle in 2018, named LiveWire, and according to Zeitz electrification is the next logical step in the evolution of the brand that was established 120 years ago.

"If you look at the past 120 years, the company has always evolved, never stood still," he said. "Now, like the founders did at the time by trying to reinvent or invent something unique, that's obviously something that we as a company brand need to do as well."

Harley's planned timeline to become fully electric is longer than many other auto companies, however, with several leading car brands stating that they will be all electric by 2030.

### **WYOMING LAWMAKERS PROPOSE BAN ON ELECTRIC VEHICLES**

A group of GOP Wyoming state lawmakers want to end electric vehicle sales there by 2035, saying the move will help safeguard the oil and gas industries, which employ thousands of people in the state.

The measure, introduced to the state legislature on January 13, was sponsored by six state legislators, who said in it that electric vehicles will hinder Wyoming's ability to trade with other states. According to "The Hill," the bill states that citizens and industries would be encouraged not to purchase electric vehicles before the ban goes into effect.

"The proliferation of electric vehicles at the expense of gas-powered vehicles will have deleterious impacts on Wyoming's communities and will be detrimental to Wyoming's economy and the ability for the country to efficiently engage in commerce," the bill reads. The legislation further states that adding new power charging stations would require "massive" amounts of new power to "sustain the misadventure of electric vehicles."

Fifteen other states, meanwhile, including New York and California, have moved to ban gas-powered vehicle sales.

### **UGANDA TO GIVE RIDERS A FREE ELECTRIC MOTORCYCLE**

Ugandan President Yoweri Kaguta Museveni is looking to go green, by handing out a free electric motorcycle to all of the region's riders. President Museveni is planning on tackling pollution by providing riders with a completely free electric motorbike, including the region's 100,000+ Boda-Boda riders, who are self-employed motorcycle taxis.

The system will be a trade-in, with riders swapping their current petrol bike for a new fully electric motorcycle, and the government is installing a network of charging stations across the country to support the move.

With around 70 percent of East Africa's transport being handled by lightweight small-capacity bikes, the scheme looks set to remove many of those machines from the region's roads.

### **LEGENDARY MOTORCYCLE DAREDEVIL ROBBIE KNieVEL -- R.I.P.**

'Kaptain Robbie Knievel' followed his famous daredevil father, Evel Knievel, into the high-flying, bone-shattering world of motorcycle stuntriding, going on to break all of his dad's jump records and even successfully clearing the fountains at Caesars Palace that famously nearly killed the elder stuntman. Decked out in star-spangled leathers, Robbie Knievel landed more than 350

jumps over a death-defying 30-year career, and he died January 13, 2023 of pancreatic cancer at his home in Reno, Nevada at age 60.

### **FORMER MOTORCYCLE RACER AND OTHER YOUNG ATHLETES 'DIE SUDDENLY'**

A former NFL defensive tackle and a champion motorcycle racer are the latest examples of apparently healthy people dying suddenly amid evidence the COVID-19 mRNA shots are causing serious heart damage at a rate exponentially higher than for previous vaccines.

Citing the available scientific evidence, an article on WND.com claims that "Prominent cardiologists tie alarming trend to COVID shots" and they believe the best explanation for the rampant "sudden and unexpected" deaths and cardiac events in otherwise healthy people, such as 35-year-old Keith Farmer, a four-time British motorcycle racing champion, and 45-year-old Adrian Dingle, who spent five seasons with the San Diego Chargers, is the COVID-19 vaccines.

In the past, long before the COVID vaccines, athletes who died suddenly typically were diagnosed with hypertrophic cardiomyopathy, an abnormal thickening of the heart, or premature heart blockage. Nowadays, athletes are thoroughly screened to rule out those conditions.

Peer-reviewed literature shows the vaccines can cause myocarditis, the article reports, which is an inflammation of the heart wall that can lead to heart failure and sudden death.

### **STURGIS CHARITABLE DONATIONS SURPASS \$2 MILLION**

Motorcyclists who took part in the Sturgis Buffalo Chip charity events for 2022 raised a generous \$400,000 for Veterans, charities for children and the community. The figure pushes the grand total that Sturgis Buffalo Chip has raised for charity during the Sturgis Rally to over \$2.1 million.

"We are continually blown away by our guests' desire to give back," said Rod Woodruff, president of Sturgis Buffalo Chip. "People from all over come here to let loose and have a fun vacation, and yet they still take the time and spend their hard-earned dollars to give through Buffalo Chip charity events. With the help of all our friends, we've raised over \$2 million to help children, injured American war veterans and our local community. Just two years ago, we broke the million-dollar mark, and now we're over two million. We are so blessed to be part of the giving spirit of the motorcycle community."

### **END OF THE ROAD FOR MAYANS M.C.**

The titular Santo Padre biker club is calling it quits, as it's been announced that the TV series "Mayans M.C." is set to ride off into the sunset at the end of its upcoming fifth season. The news comes from FX network boss John Landgraf during an executive session at the Television Critics' Association winter press tour.

The "Sons of Anarchy" spinoff, which originally premiered on the network in 2008 and lasted until 2014, centers on a fictional motorcycle gang on the California-Mexico border, and it's set two and a half years after the events of 'Sons'.

## **2023 NCOM CONVENTION IN PHOENIX -- MARK YOUR CALENDAR**

The 38th annual Convention is scheduled for Father's Day weekend, June 16-18, 2023 in Phoenix, Arizona, so plan ahead to join with hundreds of fellow concerned riders from the ranks of Motorcycle Rights Organizations (MROs), clubs (Confederations of Clubs) and independent riders, with agenda items dealing with legal and legislative issues affecting all motorcyclists, so check back at

[https://urldefense.com/v3/\\_http://www.ON-A-BIKE.com\\_!!Eb2IA6X1TUGobEE!wH9ovQZRIfu7LNKiKE9XEfeLhQSte3czz1hFmq1paAT3U7NhZBc05xjBZ7Qf37SuQ0u\\_U6fbgp9V-MyCDzXA3Qi9lYuSf2X1xg\\$](https://urldefense.com/v3/_http://www.ON-A-BIKE.com_!!Eb2IA6X1TUGobEE!wH9ovQZRIfu7LNKiKE9XEfeLhQSte3czz1hFmq1paAT3U7NhZBc05xjBZ7Qf37SuQ0u_U6fbgp9V-MyCDzXA3Qi9lYuSf2X1xg$) for further details from the National Coalition of Motorcyclists as they become available.

**QUOTABLE QUOTE:** "Daredevils don't live easy lives." ~ Kelly Knievel, brother of 'Captain Robbie Knievel' (05/07/62 – 01/13/23)