



**Bikers of Lesser
Tolerance**

BOLT ACTION !

**Fight the NC Helmet Statute
STAND UP FOR YOUR RIGHTS!**

Find more info at boltnc.org and BikerCourt.com

BEAT THEM WITH THEIR OWN RULES

According to the NC Courts website, every District Court Trial costs the state \$872.

2000 trials will cost the state \$1.7 MILLION, which is not in the budget.

How many of us will they be able to ticket if we all fight the ticket and take it to trial? How long will it take before the Judge says **“NO MORE HELMET TICKETS!”**

We are NOT suggesting you break the law. We are saying that the State broke the law when it created a statute which lacks due process and is so vague that it went against the US Constitution. The State continues to oppose the Constitution whenever they enforce. We must hold them accountable!

“It’s My Helmet!”

If you wear anything on your head, get in the habit of calling it your helmet. According to Websters, a helmet is a protective covering for the head. Protection can be from anything. Aviators wear leather helmets to protect from wind. Baseball cap helmets protect from sun. California BOLTsters are fond of Dixie Cup with Shoestring Helmets, Coconut Helmets, Watchcap Helmets, and Skull Helmets. See boltofca.com

Cops may threaten to detain. So, just in case LEO doesn't like your choice of helmet, bring another helmet with you that you think may be more to an officers arbitrary, subjective approval.
Never Consent to a Search!

A Ticket for Freedom? Such a deal!

Dismissal? \$0
A not guilty finding? \$0
Being found guilty of an infraction? \$100.
Appeal that wins freedom for all? Priceless!

Will they Return to a Land More Free?

Our troops have been in other countries fighting for the freedoms of foreigners. When they left, we had a history of having a helmet repeal bill in front of the legislators every year.

They entrusted you to STAND UP for them in their absence. They left with more rights than they will come home to.

For the first time in many years, there was no repeal bill filed. In fact, there was only one biker at the House Judicial Committee in Raleigh to motion for a repeal of the helmet laws in 2007. There was only one biker at the Senate Judicial Committee motioning for repeal.

Those who would give up essential liberty to purchase a little temporary safety deserve neither liberty nor safety.

~ Ben Franklin ~

Actions Required:

We need freedom fighters to lead freedom rides in many counties. Email protest@bikersusa.org. We need YOU to participate in protests. We will keep up the pressure on legislators. We will fight helmet tickets. BOLT and Biker Court will give you info to help you WIN.

The LIES are not the LAWS!

Many of you are getting lies in the mail with your registration renewals from the NC DMV, paid for with tax dollars. The new statute does NOT say your helmet must have about an inch of foam padding.

Here is the exact wording of **The New Vague Unjust Helmet Statute, effective January 1, 2008:**

G.S. 20-140.4 reads as rewritten:

"§ 20-140.4. **Special provisions for motorcycles and mopeds.**

(a) No person shall operate a motorcycle or moped upon a highway or public vehicular area:

(1) When the number of persons upon such motorcycle or moped, including the operator, shall exceed the number of persons which it was designed to carry.

(2) Unless the operator and all passengers thereon wear on their heads, with a retention strap properly secured, safety helmets of a type that complies with Federal Motor Vehicle Safety Standard (FMVSS) 218.

(b) Violation of any provision of this section shall not be considered negligence per se or contributory negligence per se in any civil action.

(c) Any person convicted of violating this section shall have committed an infraction and shall be fined according to G.S. 20-135.2A(e) and (f)."

Don't Just Pay a Helmet Ticket. Fight it and WIN! The New Statute is Just as Vague as the Old One.

The old statute was vague, yet many were ticketed for violating it. Most people just paid the ticket, and that is what the State wants you to do.

In November 2007, Terry Malpass from Kinston won in court. The cop said Terry wasn't wearing a "DOT Approved" helmet. Terry provided proof there is no such term as DOT Approved, in fact or in law. The Commissioner of the DMV does not have a list of approved helmets. The US DOT does not have a list of approved helmet. The DOT does not approve helmets. The judge said he cannot find guilt for not wearing something that does not exist.

In a recent survey, 100 motorcyclists were asked "What is FMVSS 218?". Nobody knew. We contacted the Governors Office twice and asked, "What is FMVSS 218?" Nobody knew. Ronnie Stacey called the office of Rep. Ron Sutton, the legislator who introduced the bill, and asked "What is FMVSS 218 and how can I ensure compliance with certainty?" They had to refer the question to another lawyer.

Eventually, the answer he got was a pointer over to some test results. This is the wrong answer!

Call your representative and ask "What is FMVSS 218, and how can I ensure compliance with certainty?"

The correct answer is that you cannot!

"How can I ensure compliance with certainty?"

We have contacted all the officials in North Carolina government we can and asked "How can I ensure compliance with certainty?" Nobody has provided a valid answer. The only correct answer is that you cannot. According to the US Constitution, if an average person of reasonable intelligence cannot read a law, then conduct reasonable research in order to determine how to ensure compliance with certainty, that law is vague, lacking due process, and is unconstitutional.

Cover the DOT Label on all helmets in solidarity with all Freedom Fighters.

If everyone does this, enforcement efforts will be stymied.

The cops are looking at your helmets as you go riding by. If they look at your helmet and there is no DOT label, they've been trained to believe this might not be a compliant helmet. BOLT members have been putting electrical tape over the DOT labels on all their helmets. There is no federal law preventing consumers from removing or covering or painting over the DOT label. If there is no label, we put the tape over where the label might be. During roadside stops, the police have no business inspecting under the electrical tape. We politely say:

"Officer, I do not consent to a search of my person or my personal property."

For upcoming PROTEST ACTIONS and the 2008 FREEDOM RIDE SCHEDULE, please see the CAROLINAS FULL THROTTLE MAGAZINE.

For more info, speak with a member of B.O.L.T., or visit boltnc.org or bikercourt.com