

Motorcycle Only Roadblocks/Checkpoints

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Information compiled by
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Motorcycle only roadblocks are being carried out as a strategy to reduce motorcycle fatalities. National Highway Traffic Safety Administration has developed a Motorcycle Safety and Enforcement program and law enforcement are trained yearly on how to conduct the roadblocks or as they call them, safety checks. The roadblocks range from checking licensing and registration to a full blown vehicle inspection and are done during motorcycle events.

Some states have, or trying to, pass laws to stop the motorcycle only roadblocks. There are two types of bills being used to address this issue. One, they prohibit vehicle specific roadblocks and two; they won't accept federal funding to do motorcycle only roadblocks. Please note that the states that aren't accepting federal funding can still have motorcycle only roadblocks, they just can't use federal money if they decided to do them. Below are the states that currently have bills or have passed a law to stop motorcycle only roadblocks and the wording. States should also read there highway safety plans to see if roadblocks are going to be used to help lower motorcycle fatalities.

California: not accepting federal funding for motorcycle only roadblocks: bill 2011

AB 1047: This bill would expressly prohibit state and local law enforcement agencies receiving grant money for a motorcycle safety program from using that money for the implementation of motorcycle only checkpoints.

Wording:

(d) State and local law enforcement agencies receiving National Highway Traffic Safety Administration (NHTSA) grant money for a motorcycle safety program pursuant to this article shall not use the money for the implementation of motorcycle only checkpoints.

Illinois : not accepting federal funding for motorcycle only roadblocks: bill 2012

HB 930: Provides that a law enforcement agency of this State or a political subdivision of this State may not accept federal funding the purpose of which is to establish motorcycle-only roadside checkpoints. Effective immediately.

Wording:

Sec. 8.56. Motorcycle-only roadside checkpoints. A law enforcement agency of this State or a political subdivision of this State may not accept federal funding the purpose of which is to establish motorcycle-only roadside checkpoints.

Link: [http://www.ilga.gov/legislation/fulltext.asp?](http://www.ilga.gov/legislation/fulltext.asp?DocName=09700HB0930ham002&GA=97&LegID=56718&SessionId=84&SpecSess=0&DocTypeId=HB&DocNum=0930&GAID=11&Session=)

[DocName=09700HB0930ham002&GA=97&LegID=56718&SessionId=84&SpecSess=0&DocTypeId=HB&DocNum=0930&GAID=11&Session=](http://www.ilga.gov/legislation/fulltext.asp?DocName=09700HB0930ham002&GA=97&LegID=56718&SessionId=84&SpecSess=0&DocTypeId=HB&DocNum=0930&GAID=11&Session=)

Missouri – prohibiting vehicle specific roadblocks: bill 2012

SB 897: Prohibits law enforcement agencies from establishing roadside checkpoint or road block patterns based upon a particular vehicle type, including the establishment of motorcycle-only checkpoints

Wording:

304.152. 1. Notwithstanding any provision of the law to the contrary, no law enforcement agency may establish a roadside checkpoint or road block pattern based upon a particular vehicle type, including the establishment of motorcycle-only checkpoints.

2. Notwithstanding subsection 1 of this section, a law enforcement agency may establish a roadside checkpoint pattern that only stops and checks commercial motor vehicles, as defined in section 301.010.

3. The provisions of this section shall not be construed to restrict any other type of checkpoint or road block which is lawful and is established and operated in accordance with the provisions of the United States Constitution and the Constitution of Missouri.

Link:

<http://www.senate.mo.gov/12info/pdf-bill/intro/SB897.pdf>

New Hampshire – not accepting federal funding for motorcycle only roadblocks- law 2011

HB148: AN ACT relative to federal funding for motorcycle-only roadside checkpoints.

Wording:

69:1 New Section; Federal Aid; Motorcycle-Only Roadside Checkpoints. Amend RSA 124 by inserting after section 15 the following new section:

124:15-a Motorcycle-Only Roadside Checkpoints. No law enforcement agency of the state or a political subdivision of the state may accept federal funding the purpose of which is to establish motorcycle-only roadside checkpoints.

New Jersey – prohibiting vehicle specific roadblocks: bill 2012

A508 /S1685: Prohibits certain agencies from establishing checkpoints limited to specific vehicle types.

Wording:

1. No law enforcement agency shall conduct a roadside checkpoint or other systematic inspection of vehicles on the highways of this State that is limited to a certain type of vehicle.

The provisions of this section shall not apply to roadside checkpoint or inspection of commercial vehicles as defined in section 3 of P.L.1990, c.103 (C.39:3-10.11).

This section shall not be construed to restrict or limit any other type of checkpoint or roadblock which is lawful.

Link: http://www.njleg.state.nj.us/2012/Bills/A1000/508_I1.HTM

North Carolina- prohibiting vehicle specific roadblocks –law 2011

HB 38 : AN ACT TO PREVENT LAW ENFORCEMENT AGENCIES FROM ESTABLISHING PATTERNS FOR VEHICLE STOPS AT CHECKING STATIONS BASED ON A PARTICULAR TYPE OF VEHICLE.

A pattern designated by a law enforcement agency pursuant to subsection (a) of this section shall not be based on a particular vehicle type, except that the pattern may designate any type of commercial motor vehicle as defined in G.S. 20-4.01(3d). The provisions of this subsection shall apply to this Chapter only and are not to be construed to restrict any other type of checkpoint or roadblock which is lawful and meets the requirements of subsection (c) of this section."

Link: <http://www.ncga.state.nc.us/Sessions/2011/Bills/House/PDF/H381v4.pdf>

References used:

http://www.ncga.state.nc.us/EnactedLegislation/Statutes/HTML/BySection/Chapter_20/GS_20-16.3A.html

Virginia – prohibits inspection of motorcycles – law 2012

HB 187: Police check-points; prohibits establishment of motorcycle only check-points

§ [46.2-103](#). Stopping vehicles for inspection or to secure information.

Except as prohibited by § [19.2-59](#), on his request or signal, any law-enforcement officer who is in uniform or displays his badge or other sign of authority may:

1. Stop any motor vehicle, trailer, or semitrailer to inspect its equipment, operation, manufacturer's serial or engine number; or
2. Stop any property-carrying motor vehicle, trailer, or semitrailer to inspect its contents or load or to obtain other necessary information.

Nothing in this section, however, shall be construed to authorize the establishment on any highway of police check-points where the only vehicles subject to inspection are motorcycles.

Link: <http://lis.virginia.gov/cgi-bin/legp604.exe?121+ful+CHAP0011>

All State Highway Safety Plans are posted on NHTSA website:
<http://www.nhtsa.gov/nhtsa/whatsup/SAFETEAweb/pages/SafetyPlans.htm>

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