

Beat That Speeding Ticket!

This manual in no way or form promotes speeding or other illegal activities. What is presented here in this manual is a collection of tips and advice from many sources on what you can do to reduce your chances of getting a ticket in the event that you accidentally stray over the posted speed limit. Every situation is unique and what is written here are general guidelines to follow and may have different results than those experienced by the author or sources. Always consult the advice of an expert in law when the need arises.

About Speeding

State speed limits

Let's face it, we all exceed the speed limit at one time or another and some of us practice it as a religion. A recent study found that between 88 percent and 96 percent of motorists exceed the 55 mph posted speed limit on interstate highways in the states that still have it. Since you are reading this booklet on speeding tickets you either already have one in hand or you are just trying to avoid one in the future. This booklet places the emphasis on trying to get out of the ticket before you even get one since this is the easiest method of beating one in the first place. I am not a lawyer and I won't go into too much detail about fighting tickets in court other than just giving you some common defense tactics that an attorney would argue on your behalf.

Most states immediately changed their interstate rural speed limits from 55 mph to 65 mph after the federal government allowed states to do so in 1987. The states that still have the 55 mph limit are all concentrated in the northeast with the exception of one. The states are New York, Connecticut, Maryland, Rhode Island, Pennsylvania, New Jersey, Delaware, and Hawaii. I wonder if the northeast states keep this speed limit so they don't have to fix all those

damn potholes in the roads which keep the local car repair shops in business. Pretty much everybody will agree that there should be some type of speed limit but it would be very hard to get them to agree on what it should be. Here are some statistics that may be of interest to you:

Police point of view

What you may not hear from states often are the statistics of how many police officers are killed or injured in the line of duty handing out speeding tickets. The numbers come from various sources but they indicate that 20% of all police officers killed in the line of duty are killed while giving out traffic tickets. Of course there are more reasons to get a ticket other than speeding but the interstate highways are where most of these accidents occur. There also is the issue that there is so much more bizarre crime going on than in the past that catching speeders is a waste of manpower and resources.

Insurance company point of view

The insurance companies have always protested raising the rural speed limits from 55 mph to 65 mph since it is a huge loss of revenue. Car and Driver columnist Barry Winfield stated in an article that insurance companies "benefit from unrealistically low speed limits and the resultant high rate of speeding infractions." The smokescreen is that more injuries and deaths will result by raising the speed limit an additional 10 mph causing more claims but real story is that they can get more dollars from safe drivers. Driving 10 mph more than you used to does not mean you are less safe, it just means that you are now legal and the insurance companies do not get to charge you more money. They often cite the increase in highway injuries and deaths since the 1987 ruling from the federal government but they leave out numbers like the increasing number of drivers from one year to the next.

Local Speed Limits

If you are traveling 30mph in a 20mph zone you are going 10 mph above the speed limit and you are going to get a ticket and rightfully so. These areas are usually heavily congested traffic areas so right off the bat you will be dealing

with some irate small town cop, but even so you may be able to get out of one of these (See: Getting caught). There is simply no advantage to speeding in local areas as far as a time savings benefit is concerned. The best place to speed is on the interstate highways knowing that if you are traveling at the posted speed limit most people consider you a hazard to public safety and should immediately be thrown in jail. One can justify the risk of getting a ticket on an interstate highway but not in a school zone at 3pm on a Friday.

How Fast ?

While you are cruising along the highway pick your desired speed of travel and stick to it. Using the cruise control if your vehicle is equipped, will help greatly. By this I mean if the speed limit is posted 55 MPH you can probably drive up to 65-69 MPH without being noticed on an interstate highway. The reason I say 69 mph because it is less than 15 miles over the limit and fines and insurance premiums sky rocket if you get a ticket at or above this limit. After picking your desired speed you will notice how many people will be flying by you who you will soon be using as shields. It is important to set yourself a speed limit that you are comfortable with and since you always know how fast you are traveling and that will also help you in court if the need arises.

All police officers on interstate highways have a tolerance of how much you can exceed the speed limit and not get pulled over. I wish I could give you that number but there is no exact number to give since it is up to each individual cop to decide. A cop will most likely have different tolerances depending on time of day, weather, traffic density and more. A safe tolerance number is 5 miles an hour over the limit, you will not be ticketed for traveling 60 mph in 55 mph zone or 70 mph in a 65 mph zone. Average tolerance is 10 mph and a tolerance of more than 15 is unheard of. If it is an especially heavy traffic day a state trooper could not possibly handle all the speeders so he/she will simply increase their tolerance to adjust for the increased traffic. In the states where 65 mph is the legal limit I would not recommend any speed over mph which is a comfortable driving speed and within most tolerances according to the cops I interviewed. In these states it is not uncommon to be passed by some idiot doing 90 mph, cellular phone in hand,

and if that is you, you deserve a ticket and this manual won't help you (as much).

"See and Avoid"

Needless to say, if you are breaking the law you should be observant about your surroundings. Most situations that will result in you getting a speeding ticket could have been avoided in the first place by being alert. The initial speeding violation may also open you up to other tickets that you may not even be aware of such as expired inspections and registrations and seat belt use, or lack thereof. Pilots are trained to scan the skies for other aircraft at all times and spend a great deal of time with their eyes outside the cockpit using the "See and Avoid" method. Below are some ways to scan the surroundings to avoid being spotted and even getting clocked on the radar:

Opposite direction of travel

One of the easiest and most reliable cop detectors available is oncoming cars flashing their headlights. This signal indicates either a roadblock, a cop sitting on the median, or a cop with someone pulled over up ahead issuing a ticket. Headlight signaling has been reliable but the problem is that only about 10% of the drivers will extend this courtesy to you and then for only about a mile or two down the road. On heavily traveled days this can be very dependable especially on interstate highways so always keep an eye out for the flashing of headlights day or night.

Same direction of travel

Here you will be looking not for headlights but for brakelights. There is little need to tap your brakes on an interstate highway on even the busiest days so if you see a car or cars ahead of yours brakelights come on for no observable reason, the driver is probably hitting the brakes from instinct after seeing a cop. Also keep your eyes glancing towards the rear view mirror periodically to watch out for cops coming up from behind and surprising you

Cop with a driver pulled over

Don't worry about the cop with someone pulled over ahead because unless you are dangerously exceeding the limit they will not stop writing a ticket to give you one. There is a myth out there that when you see a cop on the side of the road with a customer there will probably be no more cops on that stretch of road for the next 20-30 miles. This can be true and I have noticed this but I have also noticed cops working in pairs so don't rely on this too much.

The median

The median, or the mall as some call it, is where you usually find the cops hanging around waiting to catch speeders. The best spot on the median is the No U Turn crossover and this is where you will find the cops 85% of the time while traveling on interstate highways. The No U Turn signs indicate that there is a crossover coming up and if you see a No U Turn sign coming around a turn beware since that is one of the favorite spot. They will also set up shop in the median where there is no official crossover ,such as set back into some trees somewhere.

It is important to notice the construction of the median especially if you travel the same highway often. Notice where the cross over points are that a cop could use if they are going the opposite direction and decide to come get you. There are some situations where there is no median other than a concrete barrier and this is almost a license to speed since they can't hide there or turn around for quite some time.

Under the overpass

Another favorite spot is under bridges or an overpass and this especially true on hot summer days since the shade is the place to be. There are no signs to indicate an overpass is coming up so your best indicators are visual and your speeding tools.

Speeding Essentials

What lane to travel in

The best lane to travel in on multi lane highways to reduce your chances of a ticket is the far right lane if traffic allows. The reason is that cops usually have their radar focused on the left or passing lane. Be aware of traffic behind you since you may get caught from police vehicles entering the highway from an entrance ramp. Another advantage to the right lane is that trucks and other vehicles will be between you and the radar if the cop is set up in the median and this makes a great reason to dismiss the ticket in court due to inaccurate radar readings because of obstructions. Just say it was the other guy.

The Shield

The shield is one of my favorite techniques because it virtually always works and it is always free. Basically the way it works is you maintain your selected speed and you stay there until some sucker passes you, preferably a tractor trailer. After they pass you adjust your speed so that you maintain a reasonable distance of 1/4 mile or so and follow them keeping an eye out for brake lights. Using the +14 mph or +9 mph standard it will not be long before another sucker comes up from behind to be your new shield. 18 wheelers make the best shields because they almost always have a CB and make a better catch for cops. Truck drivers drive for a living and if they are speeding I assume it is safe for me to do so. Think about all the trucks you notice speeding and how rare you see one pulled over. The only flaw with using the shield exclusively is that again you must constantly be aware of what is coming up behind you.

Radar Detectors

Radar detectors can both help you and hurt you. The technology will always be ahead of the driver in favor of law enforcement and this is a never ending cycle that will leave you constantly playing catch up if you rely on this device on a daily basis. By using the shield method above let someone else buy the latest technology and you can just tag along for free. Truck drivers who drive for a living depend on the CB more that they rely on a radar detector since radar detectors are illegal in most states in vehicles registered over 18, 000 lbs. GVW.

The radar detector is most useful to you when driving alone late at night and there is little CB chatter going on. They are the only defense against radar late at night on isolated back roads and then, only following someone as a shield. Most cops are equipped with an instant on/off button so by using the shield your radar detector will detect the cop taking a reading on the car in front of yours thus allowing you ample time to slow down.

The research that I have is pretty unanimous in that if you get stopped for speeding and the cop sees a radar detector mounted in your vehicle you will get a ticket. The reasoning is that the cops feel that you were definitely intending to speed if you are sporting a radar detector by being sneaky about it. Have your radar detector set up so you can quickly remove it without the cop seeing what you are doing in the event that you do get pulled over. A task a little easier said that done.

CB Radios

The CB radio is a very powerful tool and the best on interstate highways to combat speeding tickets since it will give you more information than any radar detector will. I once drove from New York to Florida speeding all the way in a truck with just a CB radio and it was a lifesaver. It is not necessary to go out and buy a \$250.00 radio in order to take advantage of this since Radio Shack sells CB radio Channel 19 receivers only for about \$19.00 and

that is all you really need. If there is a cop in the vicinity, his location will surely be broadcast over the airwaves and you can take immediate action. Keep in mind that cops also monitor the CB radio and move around a lot but this is still the best defense and there is little they can do to defeat this.

The Weapons

Unmarked cars

Spotting unmarked cars is very easy to the trained eye. They are usually late model, domestic four door cars stripped down as much as possible. They will have the cheapest hubcaps if any at all, have a one tone paint job with no fancy trim and be littered with antennas. Another sign is the spotlight sticking out of the driver's side front post. Basically what you end up with in an unmarked car is a full size luxury sedan that is stripped down to the bones that no civilian would be caught bringing home from a new car dealer. I really wonder if some civilians order their cars this way?

Speed Traps

Speed traps are a common way to increase revenue in the most efficient manner possible. The way they work is one cop will nestle into the median somewhere, usually in the trees, record your speed on radar, then radio down to the ticket writers usually over a hill or around a curve what your speed is and a description of the vehicle. Once you come around the curve and see a cop it is too late since they already know your speed. A uniformed officer will bravely be outside directing you to pull over with the other victims of the trap. There is a limit to how many speeders they can handle so once they become backlogged with five or six victims they will radio the radar car and tell it to take a break. Once they process all the victims they start over. These traps are usually only setup on interstate highways during the daytime. They prefer to do them in an area where the trees in the median will obstruct the view of the oncoming traffic to eliminate the headlights in the on coming lane. CB radios always have this information and it is a better defense than radar detectors. Check the laws in your state with an attorney about these traps

since in most states both the officer doing the radar and the officer issuing the ticket may have to appear in court if you plead not guilty.

Instant On/Off button

There are whole books in print on radar and this manual is intended only to cover the stuff you need to know. The radar gun is an extremely accurate piece of equipment and keep in mind it is only reliable to trained, competent operator. Most cops these days are equipped with an instant ON/OFF button that keeps the unit warmed up but your detector won't detect it until the cop hits the instant ON button and then it is too late, you've been clocked. To counter this simply use a shield such as a big metal truck between you and the cop. If you are using the shield in the left lane you will be able to pick up the radar from the vehicles in front of you that are being clocked. There is very little these days that will set off a false warning of a radar detector on rural interstate highways so when you hear that warning treat it with respect.

Speed limits enforced from aircraft

Don't be fooled by the signs on the road indicating that aircraft are used to enforce speed limits. What a joke! This was attempted at one time, probably introduced by a cop who was a pilot, and the only time it is used now is for publicity purposes. It was designed to work like the speed trap except speeders were spotted from the air rather than a cop hiding in the bushes, sounds pretty simple. To use this method they need at least a \$70,000 airplane, insurance, a pilot, an observer, full fuel at approximately \$2.50/gallon, daylight, and clear weather with little or no wind. They still need the full backup of the ground crew just as is needed in the conventional speed trap. You do not have to be a genius to figure out which is a more cost effective way of writing tickets.

If you were ever wondering what the white markers that are painted on the shoulders of a highway and placed about every .2 miles were for this is it. The observer in the aircraft already knows the distance to be traveled so he simply calculates the amount of time it takes your vehicle to travel the fixed

distance and the result is your speed in miles per hour. These markers can only be placed in specific areas and can't be used at night or if the ground is covered with snow. I am very interested in hearing from anyone who has ever gotten a ticket from this method. Again, as mentioned above, check the laws in your state about pleading not guilty to these and how many people are required to show up. The ticket writer, the observer, the pilot, the mechanic?

Getting Caught

Okay so you think you are going to get pulled over, but do not fret, this is the fun part. Most people actually talk the cop into giving them a ticket while they think they are trying to talk them out of it. Below are ideas you may want to follow. You may have to let your pride down but who cares you may be going to get out of a ticket. Once a cop has you on the side of the road he has three options; take you into custody by placing you under arrest and yes you can get up to 15 days in jail for speeding, he can write you a ticket, or he give you a warning. I know that you are thinking that a warning will be fine and a warning can be verbal or in writing. If you do get a ticket your options are limited to pay it or fight it and at this point there is nothing you can do on the side of the road so save your steam.

The pre-emptive wave

If you are speeding along and suddenly see a police cruiser that appears to have noticed you and you have made eye contact with him, slow down carefully and give a wave to the cop. Most non-cops slow down and avoid looking at the cop by looking straight ahead saying "Oh, Shit, Oh Shit" and pretending not to see him. An off duty cop would acknowledge the presence of the cop by a gentle wave or a nod indicating that you have just realized you are speeding and will immediately correct the situation. This can prevent you from being pulled over in the first place because you have recognized the cop as an authority and you have heeded him. This also works well in inclement weather since the cop is the one who has to get out of his vehicle.

The pre-emptive pullover

If you think you just got busted for any traffic infraction and you know you are guilty and about to be stopped the best thing you can have going for you is to pull over immediately! Do not confuse this with the pre-emptive wave as described above. Surrender only when the cop has pulled out and starts to pursue you. Surrendering eliminates the cop having to chase you with sirens screaming and lights afire and the cop will be in a better mood when he talks to you. Obviously the pre-emptive pullover will only work if you intend to plead guilty to the violation because if you intend to plead not guilty you will look pretty stupid by having pulled over before you were forced to. By surrendering you immediately lower the cops natural feeling of threat and increase his ego and this is exactly what an off duty cop would do. Swallow your pride on this one!

It pays to know a cop

We all know that off duty cops speed and they don't get tickets. Basically, the last thing a cop wants to do is give out a ticket that he feels is going to be asked by someone in the department to fix it which is not easy. This is usually the case with off duty cops and families of cops. The ticket writing cop would rather let the violator go if they think they have stopped an off duty officer or a member of their family rather than later be asked to fix the ticket. Notice I used the word think. It is illegal to impersonate a police officer and you definitely do not want to do that but it is not illegal for a cop to think or wrongly assume you are a cop. As long as you have made no false statements about yourself or haven't displayed a badge indicating you are a cop you should have no problem.

The way a cop pulls over

For a cop to pull over a vehicle for a traffic violation is a very tense situation to say the least. These days there are crazies riding around with guns under their seats or body parts in the trunk so a cop's defenses are at a high for even those most routine traffic stops. The more you can do to decrease the justified fear a cop has the better your chances of getting out of a ticket. Cops know this and when they get pulled over this is what they do.

·With the cop following you, look into the rear view mirror and acknowledge you see him by giving a brief wave out the driver's side window and turning on your directional signal. Select an area that will be safe for both you and the officer out of the way of traffic. If the weather is bad quickly look for an overpass to pull over underneath since the cop will surely appreciate this. If you are not on an interstate it is acceptable to search for a good spot since you have already acknowledged to the officer that you know he is behind you. Most cops set up shop in an area predefined with a spot that is available to pull you over up the road.

·Pull over as far to the right as possible so the cop does not have to fear getting hit by a truck while interviewing you. The cop will now be able to place his car as a protective barrier from traffic whizzing by. Put on your four way flashers as an added bonus and make sure the car is in park.

·If you have tinted windows and they are electric bring them all down so the cop can see inside your car. Also if you are wearing sunglasses it is best to remove them to establish eye contact. If the cop doesn't remove his don't worry about it. He is the authority.

·Do not get out of the car! This will immediately send the cop into a fit because he will be held accountable to whatever happens to you by your next of kin. Nothing can be accomplished by you getting out of your car except creating one mad cop which results in one expensive ticket.

· At night immediately turn on the interior lights to show you have nothing to hide.

- Sit still! The cop may take some time to get to you while he/she is checking out your plate number. Do not raise suspicion by bouncing around looking for your license and registration, you do not need it at this point and it is only raising the anxiety level of the cop

- As the cop approaches your vehicle, keep your hands planted firmly on the steering wheel. This makes the cop feel comfortable and less gun shy because he can see your hands and he is less likely to believe you are going to shoot him. There may be two cops and in that case the other one will be looking inside your car usually from the passenger side so just try to ignore him.

- The cop will usually first ask for your license and registration not say why you are being pulled over. Tell the cop exactly what you are going to be doing! For instance say " My license is in my wallet which I am sitting on, and my registration is in the glove box, I will hand them to you in that order" This can only help you give the impression that you are a cop but not actually saying it. This may sound corny to you but it works!

- It is crucial to make sure you break eye contact with the officer while reaching for anything because there is evidence that a killer always looks his prey in the eyes before killing him. Cops are well trained in this area and you definitely do not want the cop thinking you are reaching for a gun, it can ruin your whole trip.

- After getting your papers from the glove box leave it open so you are letting him know you have nothing to hide. If you have a center console in your car you will want to close it after retrieving whatever you need because that is a good place to hide a gun that can be pulled out quickly.

All of the above are simple things you should be doing whatever the reason you are being pulled over for. It is a good idea to memorize the list so that when you are caught off guard it will come naturally to you and it will show. The easiest way to remember the list is simply remember that the cop are going to be extremely cautious and maybe even nervous so put yourself into their shoes.

Honesty goes a long way

At this point the cop feels fairly comfortable with you and you are now in the best position to greatly reduce your chances of getting a ticket of any type. During the interview let the cop feel good by lecturing you. Swallow your pride and don't argue with him just satisfy his ego. If you have performed all of the above correctly you will be on your way in no time hopefully with only a warning. The key issue that I will stress is be honest with the cop during the interview.

The Interview

As mentioned, if you want to keep going without a ticket simply take the lecture, apologize for being inattentive or whatever and by no means get into a shouting match. If you imply to the cop he is a liar or is incompetent you are reducing your odds of going free even if he is a liar or incompetent. If that is the case you can retaliate by making him go to court because he is a liar..

Make sure you are giving the cop respect for him and his profession because it can go a long way in this crazy world we live in today. Do not become upset or start to cry about getting a ticket or start rambling on about how your life is now over. Do not display any of these emotions even if you get a ticket because if you plan on pleading not guilty you do not want him to remember you. Always let the cop dominate the conversation and do not offer any information unless he asks for it. Don't say "What's the problem officer"?, or "Was I speeding"? he will surly let you know when he is ready.

Testing the System

I'm now convinced

After discovering these secrets I was stopped for traffic violations twice, once on purpose just to see if this information was accurate. The first time I tried to beat a red light, I didn't and I was caught. I saw the cop sitting there around the corner and once I spotted him I immediately pulled over before he even had his lights on. After following the above procedure the cop asked me if I knew what I had done and I replied that I tried to beat the light. The cop went to his car and then shortly returned and said "Guess what"? I was puzzled for a moment. He then said "Today is your lucky day, I have no tickets left in the book so you can keep what's left as a souvenir, (handing me an empty book of traffic tickets) since I can't go to the station right now to get a new book". Now think about this, Why is a cop sitting at the side of the road waiting for people to run the red light as they do everyday at this time and place, without a book of traffic tickets? After the cop let me go I went back through the intersection moments later and there he was again. You figure that one out.

The second offense was a speeding violation that I needed in order to research this manual. I was comfortably cruising along at 55mph +20 on an interstate highway and I followed the above procedure after being pulled over. The officer asked me if I knew why I was being pulled over and I said "Yes, I was not paying attention and I was grossly over the speed limit". He examined my license and registration right there and said "slow it down and have a nice day". This may not work all the time but I am not about to go out and accumulate speeding tickets just to come up with a percentage rate for you. Most people talk themselves into the ticket by pleading stupidity like "No I don't know why you pulled me over" or "was I really going that fast"? This is usually immediate grounds for a ticket because 95% of the time you do know why you are being pulled over and if you plead ignorance you will get a ticket because the cop knows you are lying or at the very least for not

paying attention to driving. Another way of insuring that you get the ticket is arguing with the cop about violation. The side of the road is not the place to do this, that is reserved for the courtroom. If you believe you are wrongly being ticketed just take the ticket and do not give the cop any reason to remember you. By this I mean don't say things like "What's your badge number"? or "I'll see you in court". You should not have to ask the cop for his badge number in the first place because it will be on the ticket when he hands it to you.

Cops hand out so many tickets that you definitely do not want him to remember you when the time comes to go to court. If they think you are going to challenge the ticket and make them appear in court you can bet when he gets back into his patrol car he is going to start writing notes about the stop and start preparing the case.

If you have a valid excuse

I was pulled over by the New York State Police late one evening on a desolate interstate highway. The reason I was pulled over was the officer clocked my speed at an unbelievable 80 mph in my little four cylinder sportscar and in addition to that I was not in one lane but I was driving in the center of the two lanes with my car centered on the dashed white line. I got out of that one without a ticket also. Having my interior lights on and the car in park with the hazard lights flashing, acting like a cop would, the officer approached my vehicle with breathalyzer in hand ready to issue me a DWI. This is how the conversation went...

Officer: "Where are you coming from this evening"?

Me: "Westchester County Airport"

Officer: "Where are you headed"?

Me: "Home"

Officer: "Did you have anything to drink at that airport"?

Me: "I had nothing to drink at that airport, officer".

Officer: "Do you know how fast you were going"?

Me: "Probably about eighty miles an hour".

Officer: "Why were you driving in two lanes"?

Me: "Well, let me explain, I'm a pilot and I was getting checked out in a high performance aircraft and practicing night landings with an instructor. I was having difficulty on approaches so every time we got on the approach the instructor would scream "Eighty Knots, Eighty Knots, Eighty Knots". This was going on all night so I am not surprised my speed on the highway was eighty mph while I was reflecting the flight".

Officer: " What were you doing in between the two lanes"?

Me: "Oh, airport runways have a white dashed center line and I guess I was forgetting I was in my car.

Officer: "Well that's the most original story I've heard in a long time"

Me: "Well, I have all my pilot credentials and accessories right here in my bag. Would you like to see"?

Officer: (looking in my passenger seat at my bag) "No, just take it easy on the highway and happy landings".

Me: "Good night Officer"

There is no way I could have made this up between the time he pulled me over and the time he questioned me because it was true. The officer realized that I wasn't conning him so he let me go.

If you don't have an excuse

Once you are stopped for a violation you still have a chance to get out of the ticket and this is the best place to do it. You should be warned that you must be a half way decent actor/actress to use this next one. This also contradicts what I mentioned earlier about being honest but if you rehearse this one enough you will even believe it. The most effective excuse for speeding is that you have to use a rest room and you need to go before you explode. Once you are on the side of the road roll down your window and wave for the cop to come to your car right way, Do not get out of your car! When the cop arrives at your window act as if you have to relieve yourself right away and ask the officer if we could do one of the following:

"Let me run into the woods over there so I can relieve myself"

"Is there a rest stop up the road that you can follow me to and write the ticket there so I can relieve myself"?

Either approach puts the cop into a very difficult situation because he can't prove that you don't have to relieve yourself and it is going to be trouble so he may just let you leave telling you to slow down. This can also be used by another passenger in the vehicle if you are not up to it and the best person to have do it is a female, for obvious reasons. This excuse will not work if you have just passed up an opportunity to stop a few miles back and did not take advantage of it. If the officer lets you go make sure you do stop at the next area and take a 5 minute rest. Remember that you should have an excuse already made up in advance of getting pulled over so it is more believable.

PBA Decals

If you are thinking about laying out some cash to buy a "We support the PBA" or similar organizations decal save your money. Cops take these decals very lightly since most people believe that they will work in their favor. You will have no way of knowing if the cop that is standing next to your car is happy with their union or not. If he is not happy you are in trouble for reminding him of it, and if he is happy you are just another person who thinks he can buy his way out of a ticket. It also displays that you do not have the political connections to get a ticket fixed. Supporting the PBA is a very good and useful idea but one has to wonder how many contributions they would receive if they did not give out decals and cards to thank you for your support.

Going to Court

Once you have a ticket

If you are planning on pleading guilty to the charge you can stop reading here because the rest of this manual will not help you at this point. However, if you plan on pleading not guilty and are representing yourself keep reading. The key to representing yourself is PREPARATION and plenty of it. You do not want to plead guilty and then walk into the court room hoping that the officer doesn't show up. They do show up like 80% of the time so you will need a plan. One idea that I love to share is keep one of those small inexpensive disposable cameras in your car at all times. They are invaluable for parking tickets, accidents, and UFO's and they only cost about \$6.00. If you think you have a case the more prepared you are with things like photos, witnesses, and documents, the better your chances of winning.

V&T Law

The judge will be impressed with your knowledge of the law when you are able to recite the section that you are charged with violating from memory. The best investment you can make if you plan on fighting your own tickets is to go down to the Department of Motor Vehicles or whatever it is called in your state and buy the Vehicles and Traffic Law handbook that is available to the public. The one in New York State is 668 pages and cost a whopping \$1.00. I am not referring to the cute little book that they give when you want to learn how to drive either. I bet 98% of the entire population is driving around having never heard of this book and thus, not knowing the traffic laws.

Once you have the book in hand refer to your ticket and look for the section that you are being charged with violating. It is very common to be charged with the wrong but similar offense due to the cop's ignorance and you will be able to go free if that is the case. If the charge is accurate you will surely impress the judge with your interest and the respect for the law and may win him over just on that fact alone. If you plan on going to court to fight your own tickets it is very helpful to go to some court sessions ahead of time to

get an idea of what works and what doesn't. Remember, preparation is everything!

Depositions

Depositions can go two ways. I once had a speeding ticket reduced to failure to obey traffic control device simply because I did not request a deposition. When I talked to the officer prior to court I simply told him I could not afford another speeding ticket or I would lose my license. He asked the judge for a reduced charge because I did him a favor and did not burden him or waste his time by making him write a detailed deposition of the violation. On the other hand, a deposition is another opportunity for the officer to make a mistake like dates, times, etc. The general rule is if your case is not open and shut in your favor request the deposition when pleading not guilty and you may at a later date decide to hire an attorney and he/she will need it.

Other people were speeding too

I've heard this defense a lot and the judge usually always lets the ticket stand. The reason is that you were speeding and you got caught and the others didn't. A cop can only write one ticket at a time so that does not exclude you from speeding. Some people really want to get nasty and hire an attorney and claim discrimination of some sort but you may still have to pay the ticket.

Credibility

The most important asset next to preparation you can have without an attorney is credibility. If the judge thinks you are lying you are not getting out of anything. If the judge feels you are credible they will usually dismiss the ticket. The best way to be credible short of telling the truth is rehearse your case in front of friends or family members to get it straight. When it is your word against a cop's word there is no room for error. They will usually side with the cop unless you can present a well planned defense.

Good Luck!

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Horizon Publishing & Distributers Inc. 1991

Bello, Phil, How to Win in Traffic Court

Major Market Books, 1990

_Bonus Section

Traffic Laws You May Not Know About

This bonus section reveals traffic laws on the books that you may not even be aware of. The information is taken directly from the 1993/1994 New York State Vehicle and Traffic Law. You may want to get this book in your state to see if the laws are similar there. The book is available to anyone at your State Department of Motor Vehicles office. The office in New York charges \$1.00 for this 668 page book.

Make sure it was a cat...

§ 601. Leaving scene of injury to certain animals without reporting.

Any person operating a motor vehicle which shall strike and injure any horse, dog, or animal classified as cattle shall stop and endeavor to locate the owner or custodian of such animal or a police, peace, or judicial officer of the vicinity, and take any other reasonable and appropriate action so that the animal may have necessary attention...

Goes on to specify fines for second and third offenses.

For non-drinkers...

§ 1194. Arrest and testing

(b) Report of refusal. If such a person having been placed under arrest or after a breath test indicates the presence of alcohol in the person's system and having thereafter been requested to submit to such chemical test and having been informed that the person's license or permit to drive and any nonresident driving privilege shall be immediately suspended and subsequently revoked for refusal to submit to such chemical test or any portion thereof, whether or not the person is found guilty of the charge for which such person is arrested....

No radar detectors in trucks...

§ 397a. Radar detectors prohibited 1. No radar detector shall be used in any motor vehicle with a gross vehicle weight rating of more than eighteen thousand pounds. The presence in such a vehicle of a radar detector connected to a power source and in an operable condition is presumptive evidence of its use by any person operating such vehicle. Such presumption shall be rebutted by any credible and reliable evidence which tends to show that such radar detector was not in use. 2. The provisions of this section shall not be constituted as authorizing the seizure or forfeiture of a radar detector, unless otherwise provided by law. 3. A violation of the provision of this section shall constitute a traffic infraction punishable by a fine of not less than twenty-five dollars nor more than one hundred dollars.

Don't throw those tickets out...

§ 207. Uniform traffic summons and complaint. 5. Any person who disposes of any uniform traffic summons and complaint in any manner other than that prescribed by law shall be guilty of a misdemeanor.

Get your car off the hook.

§ 236. Creation, personnel

5. Release of an illegally parked vehicle. a. A parking violations bureau of a city with a population of one million or more persons may impose vehicle release penalties in accordance with the provisions of paragraph b of this subdivision, provided that the commissioner of transportation of such city has established a procedure for the towing and impoundment of illegally parked vehicles which permits the release, at the site of the underlying parking violation, of an illegally parked vehicle which has been hooked to a tow truck in preparation for towing from such site if:

(1) the owner or other person lawfully entitled to the possession of such vehicle appears and requests the release of such vehicle before the tow truck is in motion,.....

Successful Speeding Notes:

From July 1994 Car & Driver

1. Select Proper equipment

Avoid bright red performance cars

Non-descript mouse-gray "family" cars pass by unnoticed

Choose sports sedans such as Taurus SHO, Infinity Q45, etc.

a GOOD Radar Detector

2. Recognize the threat early

Avoid excessive speeding on sparsely traveled highways. There will be no radar cover for you. This applies to both day and night driving. Pay attention to Radar alerts, especially X-band "blips" on a rural highway. This may turn out to be K-band bouncing of a car in front of you. Learn to recognize "threat" vehicles, such as Mustang LX's, full-size Chevrolets, Dodge Diplomats, Plymouth Grand Fury's, etc. Identifying "threat" vehicles: windshield pillar mounted spotlight, stabilizer bar underside car (especially on Chevrolets), wide performance tires. Rules apply whenever vehicle approaches from front or rear - slow down for positive identification!

3. Maintain good daytime scan

Golden Rule #1 restated: Innocuous cars may pass unnoticed. Slow down when approaching underpasses - enforcer may be on far side behind the concrete. Be suspicious of vehicles parked on the inside or outside shoulder until a positive I.D. is made. Check On-ramps: give a quick look to the top of the on-ramp. Slow down whenever you notice a vehicle behind you matching your speed for a positive identification. The vehicle matching your speed will not be getting smaller in your rear-view mirror.

4. Maintain a good night scan

Moving up on an enforcer vehicle: learn to identify taillights. Good example is the Mustang LX. Immediately look for the folded in spotlight. Prime rule for nighttime driving: drive fast enough so that all head- lights of passed

motorists reduce rapidly in size. Any air of headlamps that maintains the same distance will need to be identified.

5. Practice Stealth, deception, and "hiding"

Find a "hare" who is pleased to demonstrate that his car is better than yours. Drop back to a safe distance and enjoy the radar shield. Do maintain your rear scan though. Run at times with lights, then at times without, hiding yourself in front of a group of trucks when you change illumination. The reason for this is that an enforcer, having "noticed" you from a long distance back, will be looking for a certain as-yet-unidentified vehicle with lights (or without) as he moves quickly up through traffic. Suddenly, he is in identifiable range of a vehicle similar in size and shape to the one he believes may have been violating, only now the illumination is different from what he saw before, thus rendering him unsure. Following rules #2 and #3, you will have slowed down to quasi-legal speed. This will confuse the officer, especially if you have removed your radar detector from the windshield or visor. Placement and removal of the radar detector is crucial. The unit should be directly in front of you so that a following threat vehicle cannot see it. If you believe you have been actively "noticed", hide in front of a large truck, accelerate while under cover, and exit any off-ramp or rest area. You will have nothing to lose at this juncture.

Any time an officer moves in on you, remove the detector at once and place it in the seat next to you. If you are in imminent danger of being stopped, execute the following emergency procedure in sequence: (1) remove detector and jam under seat; (2) wipe off suction cup or other tell-tale marks with moistened index fingertip, and (3) Replace the cigarette lighter ! An empty

cigarette lighter is a dead giveaway to the officer that he is dealing with a chronic offender. He will treat you accordingly.

6. Beware of slow moving "clumps"

Clumps are largish groups of vehicles covering all lanes and maintain a near-legal speed. Most "loose" clumps will contain one enforcer vehicle at the front (usually a marked cruiser, and one in the middle or at the tail of the clump. The vehicle at the rear will usually be unmarked and looking for lane changing and in-and-out weaving. Knowledge of rule #2 will make him a dead giveaway. Beware of curves, crests, and grassy medians. Instant-on may be placed so that the violator can be "shot" just as he crests the hill, before he has a chance to react. Slow down - its safer.

7. Avoid unprofessional and provocative behavior

The smart motorist does not alienate others. Slow to a moderate speed when passing other motorists. One of the benign-looking minivans you just ran off the road may contain an off- duty officer with a notebook and a phone. Avoid provocative license plates and bumper stickers: "How's my driving ? Call 1-800-EAT-SHIT" will not give you any breaks when stopped by an officer.

8. Maintain a high level of attention at all times

Raid motoring is a serious business. Stay focused. Distractions are all incompatible with rules #1-9.

9. Behave correctly when stopped

Chronic fast driving will get you stopped sooner or later. Observance of rules #1-9 will make this much, much later, but not "never". Do not act blasé. A cocky stance of "OK, so you got me" is provocative. SO is attempting to argue that there must be some terrible mistake - you know you were under the limit. Do not forget to remove your detector and follow the other steps mentioned in rule #5. Be courteous, candid and contrite. Trembling while handing over your license demonstrates that this situation is unusual and terrifying to you. It shows respect for the law and fear of punishment. Answer the question "Do you know how fast you were going?" with "Truly, I don't - my mind must've been wandering". "But I must have been going over the speed limit, or you wouldn't have stopped me." Note that you were not speeding deliberately - no "late for work" excuses !