

Speed Traps

Reducing government induced stress and anxiety is of utmost importance. Ambushing and robbing motorists by local government police agencies to enrich themselves at the expense of the public must be stopped. Crime, especially petty robbery increases during hard times and local police departments are no different than the thieves they are suppose to contain. In these times of reduced public funding local governments are resorting to highway robbery in order to fill their coffers. Preying on innocent helpless motorists by the police must and can be stopped.

I was unaware until I read an article in the Detroit News April 27, 2010 that Michigan Public Act 85 passed in 2006 established certain specific criteria for establishing speed limits. This Act was necessitated by the fact that local governments set speed limits too low on many stretches of highways for various reasons. One reason was to facilitate speed traps. Public Act 85 makes low speed limits that do not meet the criteria of Public Act 85 illegal. Many communities have not abided with the Act. Speeding tickets given in these areas are theoretically invalid, and some judges have dismissed the few challenges. This is an unlikely scenario since the public is unaware of Public Act 85.

Public Act 85 must have provisions to force communities to establish speed limits specified by the criteria stated in the Act. Records showing that speed limits are in compliance with the law must be transparent and easy to obtain and review. Questionable low speed limits must be easy to challenge and change through an oversight commission. Speeding tickets should not be valid in zones with illegal speed limits.

In addition to enforcing compliance with Public Act 85 I will propose legislation establishing criteria for signs. For example, many communities are using flashing speed signs and noise strips to warn motorist. These should be required where mandated police or court records indicate a high number of speeding tickets are issued. Otherwise, the ticket should be invalid.

The first priority for money collected by the District Court should be for sign improvement and other expenditures for complying with Public Act 85, and additional requirements.

The local community must provide the motorist proof that the highway where the speeding ticket was issued is in compliance with the law. The motorist must not be overly burdened in order to challenge invalid speeding tickets based on the road not being compliant with Public Act 85.

The motorist must be given a bill of rights when issued a traffic ticket informing the motorist of his rights, Public Act 85, and other information. I will also require that the motorist be informed that a video or audio recording of the encounter has been made and how to obtain a copy. The recordings cannot be discarded for at least one year or until the case has been resolved.

In order to discourage police sanctioned highway robbery as a means of filling the local municipal treasury a large percentage of the funds received by the district court must go to the state treasury.

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