

**UNITED WE RIDE**  
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**DIVIDED WE DRIVE**



**CMT/ABATE, Inc.**  
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## **POSITION STATEMENT**

### **RIGHT OF WAY VIOLATIONS** **TCA 55-8-197**

Tennessee Code Annotated 55-8-197 states “Any person who violates subdivisions (a)(1)-(6) and the violation results in an accident resulting in serious bodily injury to or death of any person shall be guilty of a misdemeanor.” It goes on to describe that the punishment for such acts could include up to \$250 fine and 6 months revocation of driving privileges for injury to \$500 and one year driving revocation for death.

This Public Chapter affords the justice of prosecution and adjudication for any person who is wrongfully maimed or killed due to careless and disrespectful driving. Motorcyclists just happen to be more vulnerable and suffer more devastating injuries, as do bicyclists and pedestrians.

The National Highway Traffic Safety Authority (NHTSA) reports that 3/5ths of all motorcycle fatalities resulting from a collision with another vehicle were caused by the other motorist violating the motorcyclist’s right of way. They also report that as many as one half of all motorcycle crashes are caused by a motorist violating the right of way of the motorcyclist.

Most riders can tell you their horror stories of when they hit the asphalt or nearly missed a mishap because of a careless and distracted driver. Many of us have buried loved ones and family friends who died at the hands of this very preventable driving offense.

Right of Way violation affects all travelers of Tennessee. The offense does not specifically affect only motorcyclists.

Most motorists can agree that they regularly witness drivers treating a right turn on a red light as a ‘yield.’ Tennessee code clearly states they must come to a complete stop unless marked as a yield.

Every ride we take requires that we persistently operate our vehicle in high defense of other vehicles. Unfortunately, motorists do not take this responsibility nearly as seriously.

While this organization has administered a highly successful motorist awareness program “Look Twice – Save a Life. Bikers are Dying to be Seen” we continue to experience unacceptable numbers of Right of Way violations. It is the position of this organization that until we begin to see citation, prosecution and adjudication of this public chapter, we will continue to needlessly bury too many victims.

When citizens start hearing about the legal ramifications for poor driving behavior that caused human harm, only then will the subject become personal and worthy of due caution. It is our hopes that law enforcement agencies, prosecutors and judges of Tennessee will begin to take notice and fulfill this public chapter’s intentioned life-saving affect.

**CMT/ABATE, Inc. is a 501c-4 Not for Profit political organization formed to preserve freedom, monitor legislation, and promote safety and awareness for all Tennessee motorcyclists.**