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# Notice and Declaration of Right to Travel

## Affidavit of Fact and Law

**Affiant:** Trevor Allen Winchell

**Date:** 4-29-2025

**Location:** Auburn, Bay County, Michigan

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## Affidavit and Declaration

I, Trevor Allen Winchell, a natural-born living man, competent to testify and of sound mind, do hereby declare and affirm the following truths under penalty of perjury:

### 1. Right to Travel is a Fundamental Right

It is a well-established principle of American law that the **right to travel** is a **fundamental, inherent, and unalienable right**, protected by the United States Constitution.

- ***Crandall v. Nevada (1868)***: The right of free ingress and egress to and from other states is fundamental.
- ***Shapiro v. Thompson (1969)***: The right to travel is a part of the "liberty" protected by the Due Process Clause.
- ***Kent v. Dulles (1958)***: Travel is a fundamental aspect of the liberty of citizens.

I **do not** waive any rights and fully reserve my right to freely move and travel by any reasonable means, including by automobile, upon the public roads and highways, without governmental interference, restriction, taxation, licensing, or regulation.

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### 2. Rights Cannot Be Taxed or Licensed

The Supreme Court in ***Murdock v. Pennsylvania, 319 U.S. 105 (1943)*** ruled that:

**"A state may not impose a charge for the enjoyment of a right granted by the federal constitution."**

Thus:

- **Traveling** on the public roads by private conveyance for private, non-commercial purposes is **the exercise of a right, not a privilege**.

- Therefore, requiring a **license, registration, or insurance** as a **condition of exercising this right** is unconstitutional and an unlawful infringement upon my liberties.
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### 3. Distinction Between Traveling and Commerce

I am engaged solely in **private travel**, not **commercial use**. I am **not transporting goods for hire, carrying passengers for compensation, operating a taxi service, or engaging in any commercial for-profit activity** on the public roads.

The regulatory authority of the State applies properly to **commercial motor vehicles** involved in commerce, but **not to private travelers** exercising their natural rights.

As such:

- I am not "driving" in the commercial sense.
  - I am **traveling** in my **private automobile**, a form of private property.
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### 4. No Valid Law Converts a Right into a Privilege

The State may regulate **privileges**, but **cannot regulate or license the free exercise of rights**.

Any law, code, ordinance, statute, or regulation that attempts to require me to obtain a license, pay a fee, or register a right is **repugnant to the Constitution** and therefore **null and void**, pursuant to:

- ***Norton v. Shelby County, 118 U.S. 425 (1886):***

"An unconstitutional act is not law; it confers no rights; it imposes no duties; it affords no protection; it creates no office; it is, in legal contemplation, as inoperative as though it had never been passed."

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## Declaration

Accordingly, I hereby declare that:

- I am exercising my right to travel privately.
- I do not consent to unlawful searches, seizures, detainments, or demands regarding licensing, registration, or insurance for my private conveyance.
- I travel in peace, under no commercial capacity, and retain all my rights at all times.

I respectfully demand that all public servants, officers, and agents of the State respect and uphold the Constitution to which they have sworn allegiance, and refrain from infringing upon my protected rights.

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**Executed on this date:** 4-29-2025

**By:**

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

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**Notarization (optional for extra power):**

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## Key Points about Using this in Practice:

- **Be peaceful and respectful** if presenting it to police or in court.
  - **Have copies ready** — many freedom travelers carry printed copies in their vehicles.
  - **Understand your rights fully** — police and judges may not initially accept this without a fight, but the legal argument is based solidly on constitutional case law.
  - **Stay consistent** — if you assert this right, you must remain non-commercial: no Uber, no deliveries, no commercial transport services.
  - **Expect pushback** — today's system is heavily "commercialized" and many officials are trained to view all travelers as "drivers" by default.
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