



ADVOCATES
FOR HIGHWAY
& AUTO SAFETY



**Statement of Catherine Chase, President, Advocates for Highway and Auto Safety;
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Emergency Nurses Association;
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Riders, Inc. (SMARTER)
In Opposition to Senate Bill 933
Senate Judicial Proceedings Committee
Maryland General Assembly
March 20, 2023**

Advocates for Highway and Auto Safety (Advocates) is an alliance of consumer, safety, law enforcement, medical and public health groups, and insurance companies and agents working to advance laws proven to prevent crashes, deaths and injuries on our roads and contain related costs. The Emergency Nurses Association (ENA) is the premier professional nursing association dedicated to defining the future of emergency nursing through advocacy, education, research, innovation, and leadership. The Skilled Motorcyclist Association - Responsible, Trained and Educated Riders, Inc. (SMARTER) is a non-profit association of riders who support all-rider helmet laws. Our organizations thank you for the opportunity to provide testimony jointly in opposition to Senate Bill (SB) 933, legislation that would repeal Maryland's all-rider motorcycle helmet law. This critical safety law has been preventing deaths and injuries and saving taxpayer dollars in Maryland for nearly 31 years. To repeal the all-rider motorcycle helmet law would be a deadly and costly mistake.

Motor Vehicle Crash Fatalities are Exceedingly High, Including Riders of Motorcycles, the Most Hazardous Form of Motor Vehicle Transportation.ⁱ

The National Highway Traffic Safety Administration (NHTSA) estimated annual traffic fatalities in the U.S increased by over 10 percent in 2021, reaching the highest level since 2005.ⁱⁱ That year, motorcycle rider fatalities increased by nine percent.ⁱⁱⁱ On Maryland's roadways, 78 motorcyclists lost their lives in 2021.^{iv} Earlier this year, NHTSA reported that in the first nine months of 2022, the number of traffic fatalities in Maryland increased by over two percent compared to the same period in 2021, with 403 people losing their lives.^v Data shows that dangerous driving behaviors, including speeding and alcohol-impairment, continue to result in deadly outcomes, especially for vulnerable road users (VRU), including motorcycle riders, who lack the protective structure of a passenger vehicle. Traffic safety is a serious issue that requires improvement rather than the dismantling of the state's all-rider motorcycle helmet law, a proven traffic safety countermeasure.

Over the five year period of 2017 to 2021, an average of 74 fatal crashes and 947 injury crashes involving a motorcycle occurred each year in Maryland.^{vi} From 2020 to 2021, in Maryland, the total number of crashes involving a motorcycle rider increased by four percent (1,289 to 1,343) and the total number of injury crashes increased nearly six percent (from 907 to 961).^{vii} Traffic crashes impose a physical, emotional and financial toll on Maryland families. In 2019, the cost of crashes in Maryland surpassed \$5.9 billion – essentially resulting in a “crash tax” on each Marylander of \$977.^{viii}

Motorcycle Helmet Use, Bolstered by All-Rider Laws, is a Proven Lifesaver.

Motorcycle helmets are proven lifesavers and injury preventers. According to a report by the Government Accountability Office (GAO), laws requiring all motorcyclists to wear helmets are the only strategy proven to be effective in reducing motorcyclist fatalities.^{ix} After Maryland enacted its all-rider motorcycle helmet law in 1992, the motorcyclist death rate (per 10,000 registered motorcycles) from crashes dropped 56 percent over a five-year period.^x

State laws requiring all riders to wear helmets are extremely effective in achieving helmet use. Data released from NHTSA show that in states with all-rider helmet laws, use of U.S. Department of Transportation (DOT) compliant helmets is 86 percent, compared to just 53 percent in states without such a law.^{xi} According to NHTSA, in 2020, there were 7.7 times as many unhelmeted fatalities (1,897 fatalities) in states without a universal helmet law

compared to states with a universal helmet law (246 fatalities).^{xii} These states were similar with respect to total resident populations.^{xiii} The data is clear – Maryland’s all-rider helmet requirement is working to ensure motorcycle helmet use.

Motor Vehicle Crashes, Especially Involving Motorcycles, are Costly to All Marylanders. Helmet Use Reduces Preventable Expenditures.

Traffic crashes impose a physical, emotional, and financial toll on Maryland families. In 2019, the cost of crashes in Maryland surpassed \$5.9 billion – essentially resulting in a “crash tax” on each Marylander of \$977.^{xiv}

Annually, motorcycle crashes cost nearly \$17 billion in economic impacts and \$107 billion in societal harm as measured by comprehensive costs based on 2019 data.^{xv} Serious injuries and fatalities accounted for 83 percent of total comprehensive costs of motorcycle crashes, compared to 60 percent of the total comprehensive costs of all motor vehicle crashes.^{xvi} Traumatic brain injury is a serious, potentially life-long injury that can result from a motorcycle crash, especially when the rider is not wearing a helmet. In addition to changes in social, cognitive and physical ability, lifetime care for a traumatic brain injury can easily amount to millions of dollars, and considerably more if the person is young.

Conversely, in 2019, motorcycle helmets were preventing \$21.2 billion in societal harm costs annually, but another \$9.4 billion in harm costs could have been prevented if all motorcycle riders had worn helmets.^{xvii} Helmet use reduces the cost of medical treatment, length of hospital stay and probability of long-term disability for those riders injured in crashes. The provisions in SB 933 to ostensibly alleviate the risks posed by riders and their passengers riding without a helmet, specifying the exception is for those age 21 and older, mandating two years riding experience and passing a safety course, fail to mitigate the severe and serious damages that will be caused by repealing the state’s all-rider motorcycle helmet law. Further, there is no scientific evidence that motorcycle rider training reduces crash risk and is an adequate substitute for an all-rider helmet law.

Motorcycle Helmet Law Repeals Have Resulted in Increased Deaths, Injuries and Associated Costs.

Experience and data have proven that states which repeal an all-rider motorcycle helmet law always experience an increase in rider deaths, serious and disabling brain injuries, and medical costs usually borne by taxpayers and the state. In Michigan, which repealed its all-rider law in 2012, there would have been 26 fewer motorcycle crash deaths (a 21 percent reduction) if the helmet mandate was still in place that year, according to the University of Michigan Transportation Research Institute.^{xviii} Furthermore, “minors only” helmet laws, such as SB 933 seeks to enact, are ineffective, unenforceable, and unpopular. According to the American Academy of Pediatrics, in states with weak youth-specific helmet laws, use decreased, and youth mortality increased. Serious traumatic brain injury among youth was 38 percent higher in states with age-specific laws compared to states with all-rider helmet laws.^{xix} After Florida repealed its all-rider helmet law in 2000, the fatality rate (per 10,000 registered motorcycles) jumped 21 percent. Deaths of riders under the age of 21 who were not helmeted increased 188 percent, even though the law still applied to them.^{xx} Enforcing laws for only young riders is problematic since it is very difficult, if not impossible in certain roadway environments, for law enforcement to estimate a rider’s age. It is also impossible to determine training or length of experience operating a motorcycle in such circumstances.

The Public is Concerned about Roadway Safety and Supports All-Rider Helmet Laws.

A public opinion poll commissioned by Advocates found that overwhelming majorities of respondents were “extremely” or “very” concerned about dangerous driving behaviors and scenarios.^{xxi} Two-thirds of poll respondents indicated that they do not think enough is being done to reduce dangerous behavior on our roadways.^{xxii} Further, the American public understands the need for all-rider helmet laws and overwhelmingly supports them as demonstrated by the American Automobile Association (AAA) Foundation Traffic Safety Culture Index, which found more than four in five Americans (82%) support a law requiring all motorcycle riders to wear a helmet.^{xxiii} Removing basic safety protections, including Maryland’s all-rider helmet law, runs contrary to public opinion.

If SB 933 is passed, it will result in more deaths, injuries, and an increased financial burden on Maryland’s emergency services and hospitals and ultimately, every Maryland taxpayer. **Advocates, ENA Maryland State Council, and SMARTER urge you to oppose SB 933.** Thank you.

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- ⁱ The Economic and Societal Impact of Motor Vehicle Crashes, 2019 (Revised), NHTSA, Feb. 2023, DOT HS 813 403, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>.
- ⁱⁱ Early Estimates of Motor Vehicle Traffic Fatalities and Fatality Rate by Sub-Category in 2021, National Highway Traffic Safety Administration (NHTSA), May 2022, DOT HS 813 298, available at: <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813298>
- ⁱⁱⁱ Early Estimates of Motor Vehicle Traffic Fatalities and Fatality Rate by Sub-Category in 2021, National Highway Traffic Safety Administration (NHTSA), May 2022, DOT HS 813 298, available at: <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813298>
- ^{iv} Crash Summary Report – Motorcycle (2021), Maryland Department of Transportation, July 2022, available at: <https://zerodeathsmid.gov/wp-content/uploads/2022/08/MCycleBR-2021July26-2022.pdf>
- ^v Early Estimates of Motor Vehicle Traffic Fatalities and Fatality Rate by Sub-Category in 2021, National Highway Traffic Safety Administration (NHTSA), May 2022, DOT HS 813 298, available at: <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813298>
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- ^{vii} Crash Summary Report – Motorcycle (2021), Maryland Department of Transportation, July 2022, available at: <https://zerodeathsmid.gov/wp-content/uploads/2022/08/MCycleBR-2021July26-2022.pdf>
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- ^x Autopsy Study of Motorcyclist Fatalities: The Effect of the 1992 Maryland Motorcycle Helmet Use Law, American Journal of Public Health 1352-1355, 92:8, August 2002.
- ^{xi} Traffic Safety Facts Research Note, Motorcycle Helmet Use in 2021 – Overall Results, National Highway Traffic Safety Administration (NHTSA), March 2022, DOT HS 813 270, available at: <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813270>
- ^{xii} Traffic Safety Facts 2020 Data: Motorcycles, National Highway Traffic Safety Administration NHTSA, May 2022, DOT HS 813 306, available at: <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813306> ; 2020 Population and Housing State Data, US Census Bureau, August 2021, available at <https://www.census.gov/library/visualizations/interactive/2020-population-and-housing-state-data.html>
- ^{xiii} Traffic Safety Facts. 2020 Data: Motorcycles, National Highway Traffic Safety Administration (NHTSA), May 2022, DOT HS 813 306, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813306>; 2020 Population and Housing State Data, US Census Bureau, available at <https://www.census.gov/library/visualizations/interactive/2020-population-and-housing-state-data.html>
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- ^{xvii} The Economic and Societal Impact of Motor Vehicle Crashes, 2019 (Revised), National Highway Traffic Safety Administration (NHTSA), February 2023, DOT HS 813 403, available at: <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>
- ^{xviii} Analysis of Motorcycle Crashes: Comparison of 2012 to Previous Years, 18th Michigan Traffic Safety Summit, 2013.
- ^{xix} Youth Motorcycle-Related Brain Injury by State Helmet Law Type: United States 2005-2007, Pediatrics, Vol. 126, No. 6, 2010.
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