

Department of Legislative Services
 Maryland General Assembly
 2006 Session

FISCAL AND POLICY NOTE

Senate Bill 538 (Senator Mooney, *et al.*)
 Judicial Proceedings

Vehicle Laws - Protective Headgear for Motorcycle Riders - Required Warning

This bill requires all protective headgear for motorcycle riders, that is sold in the State on or after June 1, 2006, to have a specified manufacturer warning on the outside of the protective headgear.

The bill takes effect June 1, 2006.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) expenditures could increase by \$48,500 in FY 2007. Future year estimates reflect annualization and inflation. No effect on revenues.

(in dollars)	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Revenues	\$0	\$0	\$0	\$0	\$0
SF Expenditure	48,500	61,300	64,800	68,500	72,500
Net Effect	(\$48,500)	(\$61,300)	(\$64,800)	(\$68,500)	(\$72,500)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The manufacturer warning must state:

- may not withstand impact above 13 m.p.h.;
- may not prevent head injury;
- may not prevent skull fracture in a crash;
- may break neck in a crash; and
- may cause neck, back, or chest pain.

Current Law: A person may not operate a motorcycle unless the person is wearing protective headgear that meets the standards established by the Motor Vehicle Administration (MVA) Administrator. The administrator may approve or disapprove protective headgear and must publish lists of all approved protective headgear.

Background: A helmet must meet federal Department of Transportation (DOT) requirements in order to be sold as a motorcycle helmet in the U.S. To obtain the right to place the “DOT” sticker on the back of a motorcycle helmet, the manufacturer must meet the Federal Motor Vehicle Safety Standard. The Maryland Department of Transportation (MDOT) has adopted these federal standards to meet Maryland’s requirement for “approved headgear.”

State Fiscal Effect: MDOT TTF expenditures could increase by \$48,486 in fiscal 2007, which reflects a 90-day start-up delay. This estimate reflects the cost of hiring one internal auditor to travel to stores around the State to monitor compliance with the bill. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Salary and Fringe Benefits	\$42,646
Operating Expenses	<u>5,840</u>
Total FY 2007 State Expenditures	\$48,486

Future year expenditures reflect: (1) a full salary with 4.6% annual increases and 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses.

MDOT advises the bill does not require the rider to keep the sticker on the helmet after it has been purchased. The presence of a sticker after sale would have no bearing on whether headgear was “approved” or not. Therefore, there would be no impact on citations issued for failure to wear approved headgear as a result of this bill.

Additional Information

Prior Introductions: None.

Cross File: HB 1007 (Delegate Cluster, *et al.*) – Environmental Matters.

Information Source(s): Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - February 14, 2006
nas/ljm

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