

Position Paper in favor of SB237

Prepared by Dean Howes with ABATE of Maryland

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The information here serves only to cover the effectiveness of an all rider helmet law and not the effectiveness of a helmet itself. The actual effectiveness of helmets can only be determined by an accident to death ratio and there is insufficient "accurate" data available to arrive at such a figure.

- 1) Any data based on miles traveled/vehicle can not be used for obvious reasons. (Some states reported 0 miles for motorcycles but still reported fatalities for motorcyclists. Over a 9-year period NHTSA reports that the # of motorcycle registrations roughly doubled but total miles traveled for motorcycles stayed nearly the same.)
- 2) The best way to measure the effectiveness of an all rider helmet law is to compare fatalities to motorcycle registrations ratios between states with all rider laws and "free states", preferably those with similar riding conditions, climate, and length of riding season. Example: Montana, a free state is going to have a lower ratio than Georgia, an all rider state for obvious reasons.
- 3) Much of the opposition's testimony is based on seriously flawed/WRONG or "cherry picked" statistics. The first of these is that 37% of lives could have been saved if all states had an all rider helmet law. This is a # they have adopted from NHTSA although NHTSA's own statistics show this to be false! If the whole "37%" thing is true than why is there not 37% less fatalities to registrations ratio in states including Maryland that have all rider helmet laws. See attached ratios that are determined using statistics from NHTSA, FARS, and the Governors Highway safety council. There are currently 31 "free" states and 19 mandatory states. Included here are ratios for all 50 states in 2013 and just states with similar riding seasons for subsequent years.
- 4) Also attached are numerous statistics from the opposition in previous years that are at the very least questionable and a few statistics to put things in perspective.
- 5) There are a number of probable benefits to the fiscal bottom- line by passing SB 237. See cold hard realities page.

FATALITIES TO M/C REGISTRATIONS 2017

| | # of registered M/C | fatalities | fatalities/10K reg M/C |
|----------------------|---------------------|------------|------------------------|
| The Free States | | | |
| Pennsylvania | 377158 | 187 | 4.9 |
| Delaware | 27810 | 10 | 3.5 |
| Ohio | 410187 | 157 | 3.8 |
| Indiana | 250579 | 149 | 5.9 |
| Illinois | 333943 | 162 | 4.8 |
| Totals/Av | 1,399,677 | 665 | 4.8 average |
| The Mandatory States | | | |
| Maryland | 118277 | 86 | 7.3 |
| Virginia | 193951 | 117 | 6.0 |
| N. Carolina | 188843 | 176 | 9.3 |
| W. Virginia | 60582 | 26 | 4.3 |
| Totals/Av | 561653 | 405 | 7.2 |

Even if you take out North Carolina's reported statistics the average for the mandatory states would be 6.1 deaths per 10K registered M/C compared to the 4.8 for the free states. Where is evidence of 37% lives saved?

FATALITIES TO M/C REGISTRATIONS 2016

| | #of registered M/C | fatalities | fatalities/10K reg. M/C |
|----------------------|--------------------|------------|-------------------------|
| The Free States | | | |
| Pennsylvania | 393037 | 191 | 4.9 |
| Delaware | 28158 | 14 | 4.9 |
| Ohio | 408114 | 199 | 5.0 |
| Indiana | 223603 | 101 | 4.5 |
| Illinois | 314807 | 155 | 4.9 |
| Totals/Av | 1,367,719 | 660 | 4.8 |
| The Mandatory States | | | |
| Maryland | 123936 | 75 | 6.1 |
| Virginia | 191820 | 79 | 4.1 |
| N. Carolina | 195618 | 185 | 9.5 |
| W. Virginia | 61090 | 29 | 4.7 |
| Totals/Av | 572,464 | 368 | 6.4 |

Fatalities to M/C registrations 2013 all 50 states

| | #of registered M/C | Fatalities | fatalities/10K reg M/C |
|-----------------|--------------------|------------|------------------------|
| The Free States | | | |
| *Illinois | 352318 | 148 | 4.2 |
| *Iowa | 183294 | 41 | 2.2 |
| Alaska | 32207 | 2 | 0.6 |
| Arizona | 188360 | 146 | 7.8 |
| Colorado | 184549 | 83 | 4.5 |
| Connecticut | 91054 | 50 | 5.5 |
| Hawaii | 40564 | 17 | 4.2 |
| Idaho | 64944 | 24 | 3.7 |
| Indiana | 218630 | 90 | 4.1 |
| Kansas | 99169 | 35 | 3.5 |
| Maine | 63114 | 11 | 1.7 |
| Minnesota | 237259 | 59 | 2.5 |
| Montana | 171085 | 32 | 1.9 |
| New Hampshire | 73612 | 24 | 3.3 |
| New Mexico | 65321 | 40 | 6.1 |
| N Dakota | 35756 | 9 | 2.5 |
| Ohio | 402264 | 130 | 3.2 |
| Oklahoma | 126883 | 92 | 7.3 |
| S Dakota | 86710 | 22 | 2.5 |
| Utah | 64970 | 30 | 4.6 |
| Wisconsin | 323378 | 81 | 2.5 |
| Wyoming | 31397 | 9 | 2.9 |

Alaska through Wyoming under 18 must wear a helmet

*No law whatsoever pertaining to helmets in these states.

Fatalities to M/C registrations 2013 50 states cont'd

The Free States cont'd

| | # of registered M/C | Fatalities | fatalities/10K reg M/C |
|--------------|---------------------|------------|------------------------|
| *Delaware | 30056 | 20 | 6.7 |
| Arkansas | 74196 | 56 | 7.5 |
| Kentucky | 109821 | 78 | 7.1 |
| Pennsylvania | 400908 | 178 | 4.4 |
| Rhode Island | 32252 | 11 | 3.4 |
| S Carolina | 113315 | 120 | 10.5 |
| Texas | 443856 | 487 | 11.0 |
| Florida | 545452 | 460 | 8.4 |
| Michigan | 267292 | 127 | 4.8 |
| Totals/Av | 5,153986 | 2712 | 5.26 |

*under 19 must wear a helmet

Arkansas through Michigan under 21 must wear a helmet.

Florida and Michigan require additional 10K of insurance.

Fatalities to M/C registrations 2013 All 50 states cont'd

The mandatory all rider states

| | # of registered M/C | Fatalities | Fatalities/10K reg M/C |
|---------------|---------------------|------------|------------------------|
| Alabama | 118084 | 80 | 6.7 |
| California | 799900 | 447 | 5.6 |
| Georgia | 200133 | 100 | 5.0 |
| Louisiana | 113778 | 84 | 7.4 |
| Maryland | 99560 | 59 | 5.9 |
| Massachusetts | 125122 | 39 | 3.1 |
| Mississippi | 28433 | 38 | 13.4 |
| Missouri | 184723 | 71 | 3.8 |
| Nebraska | 56224 | 14 | 2.5 |
| Nevada | 70675 | 50 | 7.1 |
| New Jersey | 152111 | 55 | 3.6 |
| New York | 345118 | 168 | 4.9 |
| N Carolina | 195493 | 134 | 6.9 |
| Oregon | 89797 | 31 | 3.5 |
| Tennessee | 163820 | 131 | 8.0 |
| Vermont | 28777 | 5 | 1.7 |
| Virginia | 189689 | 63 | 3.3 |
| W Virginia | 58021 | 24 | 4.1 |
| Washington | 227073 | 73 | 3.2 |
| D.C. | 4170 | 3 | 7.2 |
| Totals/Av | 3,001,201 | 1669 | 5.56 |

Slightly higher than the average for the "Free" states?

Some cold hard realities

It is far cheaper to treat a dead patient.

An organ donor can donate organs that could save up to eight lives and tissue matter that could improve up to 50 lives.

Traffic accidents, especially motorcycle accidents, are a good source of organ donors. That's why many in the medical community sarcastically refer to motorcycles as "donorcycles".

A deceased person will no longer receive social security and medicare even though they have paid in for years.

A deceased person will not require Medicaid or long term geriatric care into their 70,s 80,s and 90,s. A considerable savings to society

Medical costs of treating traffic accidents is about 2% of total healthcare costs and motorcycle accidents about 2/10 of a percent.

Speeding fatalities are about 5 times (500%) that of unhelmeted riders. But this is not being addressed.

Pedestrian fatalities surpassed total motorcycle fatalities in 2014, 15, and 16 by 1483 or 10% over the three years.

Insurance rates are not higher in free states than all rider states. Surely the insurance industry has calculated and understands risk better than anyone.

There are 31 free states that have not gone bankrupt due to their reduced helmet laws.

History shows in states that have repealed their mandatory helmet laws there has been an increase in M/C registrations from 30 to almost 100%. (Which explains a lot of the increase in fatalities.) In Maryland in 2016 there were 123,936 motorcycles in Maryland, so an increase of 30% would result in 37,189 more motorcycles registered in Maryland. Let's say the average cost of a motorcycle is \$14,000 so the tax on that is \$840. Multiply that times 37,189 and you get \$31,231,200 tax revenue collected. This doesn't even take into account titling fees and registrations every 2 years for 37,189 more motorcycles.

There would also be a positive impact on business as all must be insured and all require maintenance and repair. Most riders will spend considerable money on parts and accessories. Then there is the impact on tourism when we spend our money while recreational riding. All of this taxed as well. Ask the mayor of Ocean City how motorcyclists effect his budget in September.

Some interesting points and skewed #,s

In 2013 there were five free states with a combined # of M/C fatalities (55) which is less than the 59 M/C fatalities here in Maryland alone. This a true fact and perfect example of misrepresenting and "cherry picking" #'s and statistics. The five states were Alaska, Maine, N Dakota, Wyoming and Idaho. Obviously, these states have shorter riding seasons than Maryland.

For the "Doom and Gloom" effect, the opposition always uses 1997 stats for comparisons, a year which had the lowest fatality rate. They always point to the increased # not % of fatalities even though in 1997 there were 3.8 million M/C compared to 6.7 million in 2006 and 8.6 million in 2018.

The opposition always point to any increase in states that adopt freedom of choice but fail to mention the increase in M/C registrations when all rider laws are amended. These increases are between 30 & 100%.

Maryland Institute for EMS (Patricia Gainer) said 27.1% of M/C trauma patients were unhelmeted, Shock Trauma Center said 17% , Trauma Net said 8%. Since we know that helmets don't prevent accidents doesn't that mean that somewhere between 8 and 27 motorcyclists per 100 are not wearing a helmet when they ride? That's not what I see when I'm out on Maryland's roads. When was the last time you saw a rider without a helmet in Maryland? Come on guys, at least get together and pick a number.

Advocates for Highway Safety (Jacquelin Gillan) said there were 11 times more unhelmeted fatalities in free states than there were in all rider states. NO KIDDING, there were probably hundreds of times more riders riding without a helmet in free states. You are probably 11 times more likely to drown swimming than standing on the dock. Advocates for Highway Safety said there was 56% decrease in M/C fatalities after the enactment of the all rider helmet law, Partnership for a Safer Maryland said 36%. Once again people pick a #. Advocates

for Highway Safety also said that \$477 million were saved by the helmet law while Partnership for a Safer Maryland said \$118 million? Once again people pick a #.

Partnership for a Safer Maryland (Jaqueline Milani) quotes the CDC "It's unclear what benefit motorcycle education has". I can't believe this was even said. Even NHTSA says that 25% of fatalities were unlicensed/untrained, even though they represent a much smaller % of total riders. I'm sure that Senators Miller and Stone, who helped enact the Maryland motorcycle program, would see this differently.