



ADVOCATES
FOR HIGHWAY
& AUTO SAFETY



**Statement of Allison Kennedy, Director of Government Relations
Advocates for Highway and Auto Safety,
Dan Petterson, President
Skilled Motorcyclist Association – Responsible, Trained and Educated Riders, and
Barbara Maliszewski, MS, RN, NEA-BC, President
Maryland State Council, Emergency Nurses Association
In Opposition to Senate Bill 237
Senate Judicial Proceedings Committee
Maryland General Assembly
February 4, 2020**

Good afternoon, my name is Allison Kennedy and I am the Director of Government Relations for Advocates for Highway and Auto Safety (Advocates). Advocates is a coalition of consumer, safety, public health and medical groups, and insurance companies and organizations working together to pass safety laws that reduce unnecessary motor vehicle crashes, deaths and injuries and contain associated costs. I am submitting this statement jointly with Dan Petterson, President, Skilled Motorcyclist Association - Responsible, Trained and Educated Riders, Inc. (SMARTER), and Barbara Maliszewski, President of the Maryland State Council, Emergency Nurses Association (MDENA). SMARTER is a 501c3 non-profit education association which encourages riders and decision makers to make decisions based on factual knowledge and the conclusions of quality research which includes overwhelming evidence of the lifesaving value of wearing helmets and the critical importance of an all-rider helmet law to save lives, prevent and reduce injuries and reduce costs to society. The Emergency Nurses Association is the premier professional nursing association dedicated to defining the future of emergency nursing through advocacy, education, research, innovation, and leadership. Thank you for the opportunity to provide testimony from Advocates, SMARTER and MDENA today in opposition to Senate Bill (SB) 237, 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 over 25 years. To repeal the all-rider motorcycle helmet law would be a deadly and costly mistake.

According to the National Highway Traffic Safety Administration (NHTSA), motorcycles are the most hazardous form of motor vehicle transportation, and motorcycle helmet use is the most effective countermeasure to preventing motorcycle crash fatalities and injuries. After Maryland enacted its all-rider motorcycle helmet law in 1992, the death rate from motorcycle crashes dropped 56 percent (per 10,000 registered motorcycles) over a five-year period.ⁱ

Across the nation, there were nine times as many unhelmeted fatalities (1,670) in states without a universal law compared to the number of fatalities (177) in states with a universal helmet law in 2018 (NHTSA). 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.ⁱⁱ Nationwide, the NHTSA estimates that helmets saved the lives of 1,870 motorcyclists in 2017 and that over 750 more people could have been saved if all motorcycle riders had worn helmets. That same year, 43 lives were saved in Maryland by helmet use and an additional five lives could have been saved if all motorcyclists had been helmeted.

States that have repealed their 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. The University of Michigan's Transportation Research Institute (UMTRI) reviewed data after Michigan repealed their all-rider helmet law. The study determined that there would have been 26 fewer deaths and 49 fewer injuries involving motorcycle crashes in the state that year if the law had not been repealed in 2012. The UMTRI also found that not wearing a helmet doubles the risk of fatality and increases the chance of serious injury by 60 percent. Additionally, a study in

the American Journal of Surgery reported that after Michigan repealed their all-rider helmet law, the percentage of non-helmeted crash scene fatalities quadrupled, and the number of trauma patients who were hospitalized with a head injury rose 14 percent.ⁱⁱⁱ

In addition to the devastating fatalities and life-altering injuries that occur after the repeal of an all-rider helmet law, substantial economic costs to society are incurred. An analysis performed by the Highway Loss Data Institute (HLDI) revealed that during the 2012 riding season, medical payments coverage claim frequency in Michigan was 10 percent higher, claim severity was 36 percent higher, and overall insurance losses were 51 percent higher. Moreover, in states with an all-rider helmet law, economic cost savings to society from helmet use were \$725 per registered motorcycle, compared with \$198 per registered motorcycle in states without such a law (Centers for Disease Control and Prevention (CDC)). Considering the annual economic cost of motorcycle crashes in the Nation is \$12.9 billion and the total amount of societal harm is \$66 billion (NHTSA), states should be taking action to improve, and certainly not weaken, motorcycle safety. With helmets currently saving \$2.7 billion in economic costs and preventing \$17 billion in societal harm annually (NHTSA), getting all motorcyclists to wear helmets is a prudent and fiscally responsible goal.^{iv}

“Minors only” helmet laws, such as SB 237, are ineffective, unenforceable and unpopular. According to the American Academy of Pediatrics, in states with weak youth-specific helmet laws, use has decreased and youth mortality has 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.^v After Florida repealed their all-rider helmet law in 2000, fatalities jumped 21 percent (per 10,000 registered motorcycles). Deaths of riders under the age of 21 who were not helmeted increased 188 percent, even though the law still applied to them.^{vi} Enforcing laws for only young riders is problematic since it is very difficult for law enforcement to estimate a rider’s age.

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. Lifetime care for a traumatic brain injury can easily amount to millions of dollars. 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 the bill to ostensibly improve safety, two years riding experience and passing a safety course before being permitted to ride unhelmeted, will not mitigate the severe and serious damages that will be caused by repealing the state’s all-rider motorcycle helmet law. If SB 237 is passed, it will result in an increased financial burden on Maryland’s emergency services, hospitals, Medicaid and ultimately, every Maryland taxpayer.

The American public understands the need for all-rider helmet laws and overwhelmingly supports them. The enduring and consistent support for mandatory helmet laws most recently included the 2017 American Automobile Association (AAA) Foundation Traffic Safety Culture Index which found more than 4 in 5 Americans (82%) support a law requiring all motorcycle riders to wear a helmet.

Lastly, a repeal of Maryland’s all-rider motorcycle helmet law would contradict the state’s Vision Zero efforts. Maryland’s all-rider motorcycle helmet law is saving lives, preventing life-long and costly brain injuries, and containing health care, medical and state costs. It should not be repealed. **Advocates, SMARTER and MDENA urge you to oppose SB 237.**

Thank you.

ⁱ Auman et al., *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.

ⁱⁱ U.S. Government Accountability Office, *Motorcycle Safety: Increasing Federal Funding Flexibility and Identifying Research Priorities Would Help Support States’ Safety Efforts*. p. 16. Washington, November 2012.

ⁱⁱⁱ American Journal of Surgery, *Repeal of the Michigan helmet law: the evolving clinical impact*, 2015.

^{iv} The Economic and Societal Impact of Motor Vehicle Crashes, 2010 (Revised), NHTSA.

^v Weiss, H, Agimi Y, Steiner C, *Youth Motorcycle-Related Brain Injury by State Helmet Law Type: United States 2005-2007*, Pediatrics, Vol. 126, No. 6 (2010).

^{vi} NHTSA, 2008.