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February 4, 2020

The Honorable William C. Smith, Jr.  
Chair, Senate Judicial Proceedings Committee  
2 East Miller Senate Office Building  
Annapolis MD 21401

***Re: Letter of Information – Senate Bill 237 – Vehicle Laws – Protective Headgear Requirement for Motorcycle Riders – Exception***

Dear Chair Smith and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on Senate Bill 237 but offers the following information for the Committee's consideration.

Senate Bill 237 creates an exception to the motorcycle helmet requirement for individuals (or passengers) who are at least 21 years of age and who have either been licensed to operate a motorcycle for at least two years or have completed a motorcycle rider safety course approved by the Administrator of the MDOT Motor Vehicle Administration (MDOT MVA) or the Motorcycle Safety Foundation.

Currently, all motorcycle riders (drivers and passengers) must wear motorcycle helmets that comply with Federal Motor Vehicle Standard (FMVSS) No. 218. The use of motorcycle helmets has been proven effective in reducing serious head injuries among motorcyclists involved in crashes with no substantive adverse safety effects. Nevertheless, approximately 11 percent of the 71 motorcycle riders and passengers who die on average each year on Maryland roadways were not wearing a helmet. On average, each year, 1,236 motorcycle riders and passengers are injured (approximately 20 percent are seriously injured) on Maryland roadways.

The Governors Highway Safety Association (GHSA) has found that when a universal helmet law is repealed, helmet use drops substantially. The state of Michigan repealed its universal helmet law in 2012 (no other state has repealed a universal helmet law since 2012), and according to findings from the Michigan State Police, annual fatalities involving motorcyclists involved in crashes saw an increase of 23 percent compared to pre-repeal. The GHSA urges states to oppose efforts to repeal universal motorcycle helmet laws and encourages states to adopt helmet use laws for all riders.

According to the National Highway Traffic Safety Administration (NHTSA), helmet use is substantially lower in states that do not have a universal helmet law. NHTSA estimated that helmet usage rates in states with universal helmet laws was 90 percent, while helmet usage rates for other states was just 50 percent. Currently, 19 states, the District of Columbia, and Puerto Rico have universal helmet laws.

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Motorcycle licensure carries no requirements to gain experience or improve skills over time. A rider may obtain a motorcycle license and never again ride a motorcycle. Under the provisions of Senate Bill 237, a rider who has held a motorcycle license for two years but who has no further riding experience would be exempt from the helmet use requirement, as would anyone over the age of 21 taking the motorcycle safety course; and any passenger 21 years or older.

MDOT MVA-approved motorcycle rider safety courses encourage the use of full protective riding gear by riders and passengers when operating and riding on a motorcycle. Senate Bill 237 permits a person to ride without a helmet simply because the rider has completed the approved rider safety course, regardless of how recently that safety training was completed.

The Maryland Department of Transportation respectfully requests that the Committee consider this information as it deliberates Senate Bill 237.

Respectfully submitted,

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