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February 3, 2020

Hon. William C. Smith, Jr., Chair  
Hon. Jeffrey D. Waldstreicher, Vice-Chair  
Judicial Proceedings Committee, 2 East Wing  
11 Bladen St., Annapolis, Maryland 21401

**RE: SB237- Vehicle Laws – Protective Headgear Requirement for Motorcycle Riders –  
Exception**

Dear Chairman Smith, Vice Chair Waldstreicher, and Members of the Senate Judicial Proceedings Committee,

On behalf of the Brain Injury Association of Maryland, I am writing in opposition of SB237 and request that this committee render an unfavorable report.

My name is Caitlin Exline Starr and I am the Associate Director of the Brain Injury Association of Maryland (BIAMD). For the last 37 years, BIAMD has been the only statewide non-profit organization dedicated solely to providing free information and resource assistance to the brain injury community. Through its Toll-Free Brain injury Connection Center (1.800.221.6443), its website ([www.biamd.org](http://www.biamd.org)), and its social media presence, BIAMD has sought to educate, enlighten, and support the estimated 120,000 Maryland families currently living with the devastating effects of brain injury. BIAMD regularly responds to over 420 phone calls a month from individuals dealing with brain injury, family members, and professionals seeking information and assistance. Most inquiries come from families and professionals seeking advice on how to best work with individuals with brain injuries.

Since brain injury can manifest cognitive, behavioral, or mental health symptoms or in combination, the best way to treat a brain injury is to prevent it in the first place. The absolute best way to prevent a brain injury in a motorcycle crash is to wear a helmet. According to the National Highway Traffic Safety Administration (NHTSA), helmeted motorcyclists were significantly less likely to experience a traumatic brain injury during a crash. The Centers for Disease Control and Prevention (CDC) reports that helmets reduce the risk of head injury by 69%.

Maryland's all-rider motorcycle helmet law is saving lives, preventing life-long brain and bodily injuries and preventing millions of dollars in damages, medical expenses, and lost wages. Every Maryland life saved is another life given the possibility of enriching the fabric of our communities and improving our state. We urge this committee to protect Maryland's families by maintaining Article 21-1306 as currently written.

As the Maryland affiliate of Brain Injury Association of America, we are routinely in touch with our fellow state affiliates, like Michigan, Kansas, Florida and our neighbor, Pennsylvania, who have been forced to deal with just the type of repeal this bill is contemplating.

In each instance, the number of motorcycle fatalities and brain injuries after repeal skyrocketed. In the immediate years after repeal, the death rate for motorcyclists rose 23% in Michigan, 61% in Kansas, and 66% in Pennsylvania. In Florida, routinely the home of the highest motorcycle fatality rates in the country, the death toll went from averaging 160 per to year to 246 the year following the repeal with an ever upward trend to 606 deaths in 2015.

But as truly tragic as these deaths can be on surviving family members and friends, the severe, irreversible consequences created by surviving a motorcycle crash can be equally devastating on the individual, their families, friends, and communities.

We worked with one mother in her 80's who was calling about her 57-year-old son injured in a motorcycle accident currently living in a skilled nursing facility. The facility was seeking to discharge him because of numerous behavioral incidents and significant short-term memory loss. She felt he was too much for her to bring home, and had too many assets to receive support services, but was desperate that he not become homeless with his significant disabilities.

We worked with a second individual from Maryland who was injured on her motorcycle by a drunk driver in Virginia and, now that she was being discharged, was seeking resources to help her with her brain injury issues once she got home. She had both physical and cognitive issues that need addressing, she was high functioning and luckily still able to drive, but absent insurance coverage, she might not be able to safely return to her home.

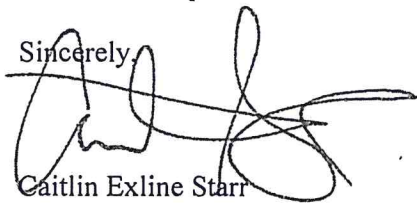
Finally, we worked with an individual who was still dealing with the daily effects of his motorcycle accident a full fifteen years after his accident. His ongoing issues were memory loss, transient blindness, extreme pain in his limbs, and permanent double vision. He had insurance and had been routinely followed and treated by neurologists, physiatrists, and eye care specialists. He worked with Department of Rehabilitative Services and had been placed in his current job at the Department of Health and Human Services. He was seeking additional supports and medical resources to help him with his ongoing combativeness at work. By all accounts, a rehabilitation success story, he was still frustrated, unfulfilled, and struggling with his brain injury on a daily basis.

Each of these individuals faced challenges long after their motorcycle accidents and each of them were wearing a helmet. We can only imagine the even greater level of difficulties they would be facing had they not had not been wearing a helmet, if they would have lived at all.

The statistics are staggering. The numbers are real. The studies all point to the need for helmets. With helmets, motorcycle accidents can leave their mark on families for decades. Without helmets, motorcycle accidents can leave their mark forever.

I conclude the way I began, on behalf of the Brain Injury Association of Maryland, I am writing in opposition of SB237 and request that this committee render an unfavorable report. Thank You.

Sincerely,

A handwritten signature in black ink, appearing to read 'Caitlin Exline Starr', with a large, stylized flourish extending to the right.

Caitlin Exline Starr  
Associate Director  
Brain Injury Association of Maryland