



# ABATE OF MARYLAND, INC.

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*Dedicated to the Freedom of the Road and Responsible Motorcycle Legislation*

## MEMORANDUM

TO: The Honorable William C. Smith, Jr. Chairman and Members of the  
Judicial Proceedings Committee

FROM: Executive Director, Kenneth V. Sawyer, Abate of Maryland, Inc.

DATE: February 19, 2021

RE: **Senate Bill 712-Vehicle Laws - Protective Headgear  
Requirement for Motorcycle Riders - Exception**

POSITION: **FAVORABLE**

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Please accept and consider the following testimony I present to you in favor of helmet choice for adult motorcyclists in Maryland.

Abate of Maryland, Inc. has been working to try and restore this freedom of choice that was taken from Maryland motorcyclists for a second time in 1992.

In 1966, the federal government made receipt of federal highway funding contingent on states enacting mandatory helmet laws. Within eight years, 47 states had implemented mandatory helmet laws. By enacting the Highway Safety Act of 1976, the federal government repealed its previous position and states began lifting mandatory helmet requirements, including Maryland. In 1991, the federal government created incentives for states to again pass helmet use laws. States again enacted helmet laws, including Maryland. Remarkably, the federal government again reversed itself four years later and the states were again in the position to repeal their helmet laws. But Maryland has not yet repealed the mandatory helmet law it passed in 1992. This see-saw back and forth between the federal and state governments is what has created this patchwork of helmet mandated states and “free” states.

Currently, only 19 states have laws requiring riders to wear helmets. Last year Missouri became the most recent state to repeal its law and the issue is being discussed in several other states.

This bill has been presented numerous times and opponents to providing helmet choice cite safety as their reason for mandatory helmet use for motorcyclists. Setting aside the



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cherry-picked safety statistics cited by our opponents,<sup>1</sup> we believe adults should be able to make the choice for themselves whether to wear a helmet.

The Motorcycle Rider's Foundation and the American Motorcyclist Association, the two largest motorcycle rider organizations in the country, support helmet choice.

Just because Abate and other motorcycle organizations are against mandatory helmet laws does not mean we are against helmet use; we would continue to lobby for a change, if the law was that helmet use was illegal. We believe that the choice of the individual rider is the only choice that matters.

Abate of Maryland is not a radical group. We are not the trouble makers that are seen on your local newscasts riding unregistered motorcycles, ATV's, or dirt bikes on the streets or causing chaos disrupting the flow of traffic on the beltway. We are hardworking Marylander's that enjoy the freedom of the road. Our ranks include lawyers, accountants, tradesman, small business owners, commercial truck drivers, engineers, military personnel, retired school nurses, administrative professionals, mechanics, and even legislators in this body. We are perfectly capable of making an informed choice regarding our safety.

The supporters of SB 712 are only asking for the right to choose.

Please support SB 712.

Kenneth V. Sawyer, Executive Director  
Abate of Maryland, Inc.

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<sup>1</sup> See the testimony presented by the Motorcycle Rider's Foundation and Assistant Director Dean Howes.