2021 SESSION
POSITION PAPER

BILL:	**Senate Bill 712 - Vehicle Laws – Protective Headgear Requirement for Motorcycle Riders – Exception**
COMMITTEE:	**Senate Judicial Proceedings Committee**
POSITION:	**Letter of Opposition**
BILL ANALYSIS:	**SB 712 will allow people aged 21 years and older, licensed to operate a motorcycle for 2 years and who completed a safety course or are a passenger of a motorcycle wearing eye protection, to not wear approved, protective headgear.**

POSITION RATIONALE: The Maryland Association of County Health Officers (MACHO) **strongly oppose Senate Bill 712 (SB 712)**. It is regressive and, if passed, will take us back to 1979, when the helmet law was repealed. Because of the repeal, deaths and injuries climbed, leading to reinstatement of the law in 1992. *This is one instance where the status quo is best for Maryland.*

Public health is steeped in science and data; it's how we make decisions concerning the public's health. The data from health and traffic safety experts in this area is irrefutable:
The **Centers for Disease Control (CDC)'s research has demonstrated that helmets:**
   ● **reduce the risk of death by 37% and the risk of head injury by 69%**
   ● **do not reduce visibility or impair hearing**
   ● ***save more than $1 billion** if all motorcyclists wore helmets*, each year in the U.S.

The **National Highway Traffic Safety Administration (NHTSA)** estimates that **protective headgear saved the lives of 1,872 motorcyclists in 2017**. If all motorcyclists had worn helmets, an additional 749 lives could have been saved, and in Maryland, helmets have **saved an additional 43 lives** in 2017 alone.
https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812683

Maryland's helmet law must remain a universal law, not a partial law. There is strong, substantial, and clear evidence that universal helmet laws save lives and save money. This is not true for partial laws. Fiscal impact from the Maryland Institute for Emergency Medical Services Systems reports that Maryland trauma centers treated 1,000 patients involved in motorcycle crashes in FY17, 90% of which were 21 years of age or older, 270 of which sustained head injuries, and 47 of which were not wearing a helmet. Riders 30 years and older account for over 70% of all motorcycle fatalities. More riders over the age 50 died in 2017 than riders under the age of 30.

Maryland's neighboring states: DC, Virginia, West Virginia and New Jersey, all mandate helmet use for all motorcyclists bringing total, including Maryland, to 20 states that ensure the protection for riders and passengers.

It is true that helmet laws interfere with a person's freedom to choose to wear, or not to wear, a helmet. Many laws restrict people's freedom to behave in ways that may harm the public's health. Examples - drunk driving laws, cell phone use laws, and infectious disease quarantine laws. ***Courts have repeatedly upheld such laws as important to the nation's well-being***.

Non-helmeted riders injured in a crash have substantially higher healthcare costs than helmeted riders. When a rider is insured, these costs are passed on to others in the form of higher health insurance premiums. When the rider is uninsured, medical expenses may be paid for using taxpayers' funds. According to the CDC, in 2013 motorcycle fatalities cost Maryland $96M. **In 2017, motorcycle helmet use saved MD nearly $100M in direct economic costs and over $590M in comprehensive costs (economic plus valuation for lost quality of life).** If every motorcyclist had worn a helmet, comprehensive costs savings would have been an additional $65M.

People want the government to regulate helmet use for adult motorcyclists. National surveys have consistently shown that more than 80% of Americans favor universal helmet laws. In 2017, Michigan rolled back their helmet laws and the fatality rate of un-helmeted riders doubled that of helmeted riders.

MACHO opposes SB 712. For more information, please contact Ruth Maiorana, MACHO Executive Director at rmaiora1@jhu.edu or 410-937-1433.

This communication reflects the position of MACHO only.