



# ABATE OF MARYLAND, INC.

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

## **Position Paper in favor of SB712**

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**Calvert County Chapter**

Pg. 2	Opening statement
Pg. 3	Fatality ratios 2019
Pg. 4	Fatality ratios 2018
Pp. 5-7	Fatality ratios all 50 states 2013
Pp. 8-9	Some cold hard realities
Pg. 10	Some interesting points and skewed numbers

## Opening Statement

The information here serves only to cover the effectiveness of an all rider helmet law and not the effectiveness of a helmet itself. The actual effectiveness of helmets can only be determined by an accident to death ratio and there is insufficient "accurate" data available to arrive at such a figure.

- 1) Any data based on miles traveled/vehicle cannot be used for obvious reasons. (Some states reported 0 miles for motorcycles but still reported fatalities for motorcyclists. Over a 9-year period NHTSA reports that the number of motorcycle registrations roughly doubled but total miles traveled for motorcycles stayed nearly the same.)
- 2) The best way to measure the effectiveness of an all rider helmet law is to compare fatalities to motorcycle registrations ratios between states with all rider laws and "free states", preferably those with similar riding conditions, climate, and length of riding season. Example: Montana, a free state is going to have a lower ratio than Georgia, an all rider state for obvious reasons.
- 3) Much of the opposition's testimony is based on seriously flawed/WRONG or "cherry picked" statistics. The first of these is that 37% of lives could have been saved if all states had an all rider helmet law. This is a # they have adopted from NHTSA although NHTSA's own statistics show this to be false! If the whole "37%" thing is true than why is there not 37% less fatalities to registrations ratio in states including Maryland that have all rider helmet laws. See attached ratios that are determined using statistics from NHTSA, FARS, and the Governors Highway safety council. There are currently 31 "free" states and 19 mandatory states. Included here are ratios for all 50 states in 2013 and just states with similar riding seasons for subsequent years.
- 4) Also attached are numerous statistics from the opposition in previous years that are at the very least questionable and a few statistics to put things in perspective.
- 5) There are a number of probable benefits to the fiscal bottom- line by passing SB 712. See cold hard realities page.



## FATALITIES TO M/C REGISTRATIONS 2019

The Free States			
	# of registered M/C	Fatalities	Fatalities per IOK reg M/C
<b>Pennsylvania</b>	366,641	176	4.8
<b>Delaware</b>	28,312	18	6.36
<b>Ohio</b>	406,543	162	3.98
<b>Indiana</b>	252,280	127	5.46
<b>Illinois</b>	314,802	138	4.38
<b>Totals/Avg</b>	<b>1,368,578</b>	<b>621</b>	<b>4.54 average</b>
The Mandatory States			
	# of registered M/C	Fatalities	Fatalities per IOK reg M/C
<b>Maryland</b>	113,195	75	6.26
<b>Virginia</b>	193,813	102	5.26
<b>N. Carolina</b>	187,849	208	11.07
<b>W. Virginia</b>	46,763	28	5.99
<b>Totals/Avg</b>	<b>541,620</b>	<b>413</b>	<b>7.63</b>

Even if you take out North Carolina's reported statistics, the average for the mandatory states would be 5.79 deaths per 10,000 registered M/C compared to the 4.54 for the free states. **Where is evidence of 37% lives saved?**



## FATALITIES TO M/C REGISTRATIONS 2018

The Free States			
	# of registered M/C	Fatalities	Fatalities per IOK reg M/C
<b>Pennsylvania</b>	393,509	165	4.19
<b>Delaware</b>	26,035	17	6.52
<b>Ohio</b>	388,108	145	3.74
<b>Indiana</b>	231,183	117	5.06
<b>Illinois</b>	300,247	119	3.96
<b>Totals/Avg</b>	<b>1,399,081</b>	<b>563</b>	<b>4.2 average</b>
The Mandatory States			
	# of registered M/C	Fatalities	Fatalities per IOK reg M/C
<b>Maryland</b>	114,460	62	5.42
<b>Virginia</b>	200,422	100	4.99
<b>N. Carolina</b>	236,636	191	8.07
<b>W. Virginia</b>	52,641	39	7.41
<b>Totals/Avg</b>	<b>604,159</b>	<b>392</b>	<b>6.49</b>

Even if you take out North Carolina's reported statistics, the average for the mandatory states would be 5.47 deaths per 10,000 registered M/C compared to the 4.20 for the free states. **Where is evidence of 37% lives saved?**



## Fatalities to M/C registrations 2013 all 50 states

The Free States			
State	# Registered M/C	Fatalities	fatalities per 10K registered M/C
*Illinois	352,318	148	4.2
*Iowa	183,294	41	2.2
†Alaska	32,207	2	0.6
Arizona	188,360	146	7.8
Colorado	184,549	83	4.5
Connecticut	9,1054	80	5.5
Hawaii	40,564	17	4.2
Idaho	64,944	24	3.7
Indiana	218,630	90	4.1
Kansas	99,169	35	3.5
Maine	63,114	11	1.7
Minnesota	237,259	59	2.5
Montana	17,1085	32	1.9
New Hampshire	73,612	24	3.3
New Mexico	65,321	40	6.1
N Dakota	35,756	9	2.5
Ohio	402,264	130	3.2
Oklahoma	126,883	92	7.3
S Dakota	86,710	22	2.5
Utah	64,970	30	4.6
Wisconsin	323,378	81	2.5
Wyoming	31,397	9	2.9
*Delaware	30,056	20	6.7
§Arkansas	74,196	56	7.5
Kentucky	109,821	78	7.1
Pennsylvania	400,908	178	4.4
Rhode Island	32,252	11	3.4

\* No law whatsoever pertaining to helmets in these states.

† Alaska through Wyoming, riders under 18 must wear a helmet

\* under 19 must wear a helmet

§ Arkansas through Michigan, riders under 21 must wear a helmet.



<b>State</b>	<b># Registered M/C</b>	<b>Fatalities</b>	<b>fatalities per 10K registered M/C</b>
<b>S Carolina</b>	113,315	120	10.5
<b>Texas</b>	443,856	487	11.0
<b>Florida</b>	545,452	460	8.4
<b>Michigan</b>	267,292	127	4.8
<b>Totals/Av</b>	<b>5,153,986</b>	<b>2712</b>	<b>5.26</b>



## Fatalities to M/C registrations 2013 --All 50 states

<b>The Mandatory All Rider States</b>			
	<b># of registered M/C</b>	<b>Fatalities</b>	<b>Fatalities/10K reg M/C</b>
Alabama	118,084	80	6.7
California	799,900	447	5.6
Georgia	200,133	100	5.0
Louisiana	113,778	84	7.4
Maryland	99,560	59	5.9
Massachusetts	125,122	39	3.1
Mississippi	28,433	38	13.4
Missouri	184,723	71	3.8
Nebraska	56,224	14	2.5
Nevada	70,675	50	7.1
New Jersey	152,111	55	3.6
New York	345,118	168	4.9
N Carolina	195,493	134	6.9
Oregon	89,797	31	3.5
Tennessee	163,820	131	8.0
Vermont	28,777	5	1.7
Virginia	189,689	63	3.3
W. Virginia	58,021	24	4.1
Washington DC	227,073	73	3.2
<b>Totals/Avg.</b>	<b>3,001,201</b>	<b>1,669</b>	<b>5.56</b>

*5.26 vs. 5.56. Slightly higher than the average for the "Free" states?*



## Some Cold Hard Realities

- ❖ It is far cheaper to treat a dead patient.
- ❖ An organ donor can donate organs that could save up to eight lives and tissue matter that could improve up to 50 lives.
- ❖ Traffic accidents, especially motorcycle accidents, are a good source of organ donors.
- ❖ That's why many in the medical community sarcastically refer to motorcycles as "donorcycles"
- ❖ A deceased person will no longer receive social security and Medicare even though they have paid in for years.
- ❖ A deceased person will not require Medicaid or long term geriatric care into their 70's 80's and 90's. A considerable savings to society
- ❖ Medical costs of treating traffic accidents is about 2% of total healthcare costs and motorcycle accidents about 2/10 of a percent.
- ❖ Speeding fatalities are about 5 times (500%) that of unhelmeted riders. But this is not being addressed.
- ❖ Pedestrian fatalities surpassed total motorcycle fatalities in 2014, 2015, and 2016 by 1,483 or 10% over the three years.
- ❖ Insurance rates are not higher in free states than all rider states. Surely the insurance industry has calculated and understands risk better than anyone.
- ❖ There are 31 free states that have not gone bankrupt due to their reduced helmet laws.
- ❖ History shows in states that have repealed their mandatory helmet laws there has been an increase in M/C registrations from 30 to almost 100% (which explains a lot of the increase in fatalities.)
- ❖ In Maryland, in 2016 there were 123,936 motorcycles, so an increase of 30% would result in 37,189 more motorcycles registered in Maryland. Let's say the average cost of a motorcycle is \$14,000 so the tax on that is \$840. Multiply that





times 37,189 and you get \$31,231,200 tax revenue collected. This doesn't even take into account titling fees and registrations every 2 years for 37,189 more motorcycles.

- ❖ There would also be a positive impact on business as all must be insured and all require maintenance and repair. Most riders will spend considerable money on parts and accessories. Then there is the impact on tourism when we spend our money while recreational riding. All of this is taxed as well. Ask the mayor of Ocean City how motorcyclists effect his budget in September.



## Some Interesting Points and Skewed Numbers

In 2013, there were five free states with a combined number of motorcyclist fatalities (55) which is less than the 59 motorcyclist fatalities here in Maryland alone. This a true fact and perfect example of misrepresenting and "cherry picking" numbers and statistics. The five states were Alaska, Maine, N Dakota, Wyoming and Idaho. Obviously, these states have shorter riding seasons than Maryland.

For the "Doom and Gloom" effect, the opposition always uses 1997 stats for comparisons, a year which had the lowest fatality rate. Our opponents always point to the increased number, not the percentage, of fatalities even though in 1997 there were 3.8 million motorcycle compared to 6.7 million in 2006 and 8.6 million in 2018.

The opposition always points to any increase in states that adopt freedom of choice but fail to mention the increase in motorcycle registrations when all rider laws are amended. These increases are between 30 - 100%.

Our opposition does not even come up with the same statistics: Maryland Institute for EMS (Patricia Gainer) said 27.1% of motorcycle trauma patients were un-helmeted. The Shock Trauma Center said 17%. Trauma Net said 8%. Since we know that helmets do not prevent accidents, doesn't that mean that somewhere between 8 and 27 motorcyclists per 100 are not wearing a helmet when they ride? That is not what I see when I'm out on Maryland's roads. When was the last time you saw a rider without a helmet in Maryland? Come on guys, at least get together and agree on the number!

Advocates for Highway Safety (Jacquelin Gillan) said there were 11 times more un-helmeted fatalities in free states than there were in all rider states. NO KIDDING, there were probably hundreds of times more riders riding without a helmet in free states. You are probably 11 times more likely to drown swimming than standing on the dock. Advocates for Highway Safety said there was 56% decrease in M/C fatalities after the enactment of the all rider helmet law, Partnership for a Safer Maryland said 36%. Once again, people pick a number! Advocates for Highway Safety also said that \$477 million were saved by the helmet law while Partnership for a Safer Maryland said \$118 million? Once again, people pick a number.

Partnership for a Safer Maryland (Jaqueline Milani) quotes the CDC "It's unclear what benefit motorcycle education has." I can't believe this was even said. Even NHTSA says that 25% of fatalities were unlicensed/untrained, even though they represent a much smaller % of total riders. I'm sure that Senators Miller and Stone, who helped enact the Maryland motorcycle program, would see this differently.

