



*Testimony of*

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*Before the*

House Environment and Transportation Committee  
Maryland General Assembly

*— On —*

House Bill 639

Vehicle Laws – Protective Headgear Requirement – Exception

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*An Independent Federal Agency*

Good afternoon Chair Korman, Vice Chair Boyce and Members of the Committee. Thank you for the opportunity to for the National Transportation Safety Board (NTSB) to testify before you today.

The NTSB is an independent federal agency charged by Congress with investigating aviation, marine, and rail accidents, commercial space launch and re-entry mishaps, highway crashes, and hazardous materials releases, in pipelines and elsewhere in transportation.

We determine their probable causes and issue safety recommendations to prevent them from happening again. We also conduct safety research.

The NTSB has no power to regulate or legislate, and we rely on the persuasive power of our comprehensive investigations and research to encourage the recipients of our recommendations to act to improve safety. We have recommended for many years that states adopt and maintain strong laws requiring all motorcycle riders to wear helmets meeting federal standards. Thus, we are very concerned about HB 639, as it would allow most motorcycle operators who are 21 or older to operate a motorcycle without protective headgear.

The growing number of Americans who have been killed or injured in motorcycle crashes is extremely troubling and makes it clear now is not the time to change the current law. In 2021, the number of motorcyclists killed in crashes increased by 8 percent from 2020.<sup>1</sup> Although motorcycles represent only 3.5 percent of the registered vehicles on our roads, motorcyclists account for 14 percent of all highway deaths. In Maryland, 81 motorcyclists lost their lives in 2023, which was over 13% of all crash-related fatalities.<sup>2</sup>

Head injury is a leading cause of death and disability in motorcycle crashes. A US Department of Transportation (DOT) report published in 2004 stated that helmets are 37 percent effective at preventing fatalities in motorcycle crashes.<sup>3</sup> According to a study conducted by the National Highway Traffic Safety Administration (NHTSA), the use of a safety helmet that complies with US Federal Motor Vehicle Safety Standard 218 is the “single critical factor in the prevention [and] reduction of head injury.”<sup>4</sup> In the event of a crash, helmets are highly effective at preventing brain injuries, which often require extensive treatment and may result in lifelong disability. Unhelmeted motorcyclists are 3 times more likely than helmeted riders to suffer traumatic brain injuries in a crash.

According to NHTSA, helmet use continues to be significantly higher in states that require all motorcyclists to be helmeted. In 2021, 86.1 percent of motorcyclists observed in states with universal helmet laws were wearing DOT-compliant helmets. In states without such laws, helmet use was just 53.4 percent.<sup>5</sup> NHTSA estimates that helmets saved an estimated 1,872

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<sup>1</sup> National Highway Traffic Safety Administration, National Center for Statistics and Analysis. June 2023. *Motorcycles: 2021 Data*. Traffic Safety Facts. Report No. DOT HS-813-466. Washington, DC: NHTSA.

<sup>2</sup> Zero Deaths Maryland, Fatal Crash Dashboard: [https://zerodeathsmd.gov/resources/crashdata/crashdashboard/?utm\\_medium=print&utm\\_source=asset&utm\\_campaign=data%20dashboard&utm\\_content=banner](https://zerodeathsmd.gov/resources/crashdata/crashdashboard/?utm_medium=print&utm_source=asset&utm_campaign=data%20dashboard&utm_content=banner)

<sup>3</sup> Deutermann W. 2004. *Motorcycle Helmet Effectiveness Revisited*. Report No. DOT HS-809-715. Washington, DC: National Highway Traffic Safety Administration.

<sup>4</sup> Hurt HH, Ouellet JV, and Thom DR. (1981). *Motorcycle Accident Cause Factors and Identification of Countermeasures Volume I: Technical Report*. Los Angeles, CA: Traffic Safety Center, University of Southern California. NHTSA Contract No. DOT HS-5-01160.

<sup>5</sup> National Highway Traffic Safety Administration, National Center for Statistics and Analysis. March 2022. *Motorcycle Helmet Use in 2021—Overall Results*. Traffic Safety Facts. Report No. DOT HS 813 270. Washington, DC: NHTSA.

motorcyclists' lives in 2017, and an additional 749 lives could have been saved if all motorcyclists wore helmets.<sup>6</sup> In states without universal helmet laws, 57 percent of motorcyclists killed in 2020 were not wearing helmets, as compared to 11 percent in states with universal helmet laws.<sup>7</sup>

When universal helmet laws are weakened, helmet use rates decrease dramatically, and motorcycle deaths and injuries increase markedly, even when accounting for changes in ridership that may be associated with weakening the law. For example, Michigan weakened its helmet law in 2012 and the percentage of motorcyclists not wearing helmets quadrupled the year after the repeal. A study conducted 3 years after the repeal found increases in crash scene fatalities, greater injury severities, worse neurologic injury, and heightened hospital mortality among nonhelmeted riders involved in crashes.<sup>8</sup> HB 639 exempts all motorcycle riders over the age of 21 who have been licensed to operate a motorcycle for two years or who have completed a motorcycle safety course from wearing a helmet, which not only leaves a significant portion of Maryland's motorcycle-riding population unprotected, but is also unenforceable. This is simply not good public safety policy.

The remarkable effectiveness of universal helmet laws in preventing death and disability among motorcyclists is a powerful argument for retaining such laws. Additionally, universal helmet laws are part of a safe system. A Safe System approach addresses all aspects of traffic safety: road users, vehicles, speeds, roads, and postcrash care and follows the core belief that even one roadway death or serious injury is too many. Which is why individual road users are included, and who must make safe choices every time they walk, run, bike, drive, or roll. For more than 70 years, research has shown that helmets protect motorcyclists and passengers from death and serious injury. I hope that, as the Environment and Transportation Committee hears HB 639, you will consider these decades of research and the indisputable evidence that helmets—and helmet laws—save lives and reject this measure.

Thank you for this opportunity to provide testimony in support of Maryland's existing universal motorcycle helmet requirement. We would be happy to provide additional information in response to any questions that the committee might have.

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<sup>6</sup> National Highway Traffic Safety Administration, National Center for Statistics and Analysis. December 2019. *Lives and Costs Saved by Motorcycle Helmets, 2017*. Traffic Safety Facts. Report No. DOT HS 812 867. Washington, DC: NHTSA.

<sup>7</sup> NHTSA. *Motorcycle Helmet Use in 2021—Overall Results*.

<sup>8</sup> Striker RH, Chapman AJ, Titus RA, Davis AT, and Rodriguez CH. 2016. Repeal of the Michigan helmet law: the evolving clinical impact. *The American Journal of Surgery*. 211(3):529–533.