



## **Motorcycle Riders Foundation**

P.O. Box 250, Highland, IL 62249

(202) 546-0983 / [mrfoffice@mrf.org](mailto:mrfoffice@mrf.org) / [www.mrf.org](http://www.mrf.org)

**Bill:** SB 503 - Vehicle Laws - Protective Headgear Requirement - Exception (In Remembrance of Gary "Pappy" Boward)

**Position:** SUPPORT

**Committee:** Judicial Proceedings Committee

Dear Chair, Vice-Chair, and Members of the Committee:

On behalf of the Motorcycle Riders Foundation (MRF), thank you for the opportunity to share are views on the proposed law regarding motorcycle headgear. We support House Bill 639 and applaud the efforts of its cosponsors to address this issue.

The MRF is a national organization focused on providing leadership at a federal level for state motorcyclists' rights organizations, motorcycle clubs, and individual riders. The MRF is concerned with national and international issues that impact freedom and safety of American street motorcyclists, while also supporting the efforts of our state partners. We are committed to being national advocates for advancing motorcycling and its accompanying lifestyle and work in conjunction with a variety of partners to help educate elected officials and policymakers.

Motorcycling is something enjoyed by over 8.6 million Americans and over 113,000 Marylanders. With our network of over 250,000 motorcyclists nationally, and on behalf of our members in Maryland, we support SB 503 because it recognizes that motorcyclists who have experience and appropriate training have a right to choose for themselves whether they want to wear a helmet.

The movment to allows those that ride to decide their own helmet use is gaining steam in the United States. In the last few years both the state of Missouri and the state of Nebraska have moved to helmet choice laws. Maryland is in the minority with its current mandatory helmet law. Seventeen states and the District of Columbia require mandatory hemet usage while the remaining states, in some form, allow choice.

### ***The Principles of Personal Autonomy Support the Passage of SB 503***

In our country, we tout our ability to choose. We can choose where we live, how to educate our children, what we can eat, drink, and even smoke. Wearing a helmet is a similar choice that ought to be made by the individual, not the state. In a NY Court of Appeals case in 1914, Judge Benjamin Cardozo wrote, "every human being of adult years and sound mind has a right to determine what



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shall be done with his own body.” SB 503 mirrors this idea - those that are 21 years or older, who have operated a motorcycle for two years, and taken a motorcycle rider safety course, can determine for themselves whether they want to wear a helmet.

Requiring helmets is a glaring example of paternalism. It’s the state telling motorcyclists that it knows best and substituting its judgment for that of motorcyclists. Regardless of whether wearing a helmet is objectively ‘good’ or ‘bad,’ a motorcyclist should be allowed to decide for themselves whether or not they want to wear one. Safety is essential, but people can choose what safety precautions they wish to follow. SB 503 recognizes that this choice belongs to the individual motorcyclist.

### ***Maryland Should Focus on Education, Rather than on Legal Requirements***

By focusing on education, rather than on a paternalistic legal requirement, SB 503 focuses on learning about the various ways to operate a motorcycle, rather than focusing on punishing those who do not operate it in a way the state sees as satisfactory. In doing so, motorcyclists can learn about their motorcycle while also determining what safety precautions they want to take.

Instead of placing an arbitrary fine that some can pay and then continue to not wear a helmet, Maryland should focus on education that complies with national standards and teaches people how to ride safely. In doing so, individuals will learn to evaluate whether they want to wear a helmet while also learning how to ride safely. These courses could also lead to a reduction in fatalities and accidents.

For these reasons, MRF respectfully requests a favorable vote on SB 503.

Should you have any questions, please feel free to contact Jay Jackson at [jay@mrf.org](mailto:jay@mrf.org).

Sincerely,

Jay Jackson

Vice President

Motorcycle Riders Foundation