



ADVOCATES  
FOR HIGHWAY  
& AUTO SAFETY



**Statement of Omar Masood, Director of State Government Relations, Advocates for Highway and Auto Safety;**

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Riders, Inc. (SMARTER)**

**UNFAVORABLE: In Opposition to Senate Bill 503/ House Bill 639  
Senate Judicial Proceedings Committee  
Maryland General Assembly  
February 22, 2024**

Advocates for Highway and Auto Safety (Advocates) is an alliance of consumer, safety, medical, public health and law enforcement groups and insurance companies working together to pass highway and auto safety laws that prevent crashes, save lives, reduce injuries, and contain costs. The Emergency Nurses Association (ENA) is the premier professional nursing association dedicated to defining the future of emergency nursing through advocacy, education, research, innovation, and leadership. The Skilled Motorcyclist Association - Responsible, Trained and Educated Riders, Inc. (SMARTER) is a non-profit association of riders who support all-rider helmet laws. Our organizations thank you for the opportunity to provide testimony jointly in opposition to Senate Bill (SB) 503/ House Bill (HB) 639, legislation that would repeal Maryland's all-rider motorcycle helmet law. This critical safety law has been preventing deaths and injuries and saving taxpayer dollars in Maryland for nearly 32 years. To repeal the all-rider motorcycle helmet law would be a deadly and costly mistake.

**Motor Vehicle Crash Fatalities are Exceedingly High, Including Riders of Motorcycles, the Most Hazardous Form of Motor Vehicle Transportation.<sup>i</sup>**

In 2021, 5,932 motorcyclists were killed in the U.S., the highest number of fatalities on record.<sup>ii</sup> Early estimates for 2022 indicate "total projected motorcyclist fatalities increased by 5 percent."<sup>iii</sup> Motorcycle riders are nearly 28 times more likely to die in a crash than passenger vehicle occupants.<sup>iv</sup> Data show that dangerous driving behaviors, including speeding, alcohol-impairment and driver distraction, continue to contribute to deadly outcomes, especially for vulnerable road users (VRU), including motorcycle riders, who lack the protective structure of a passenger vehicle.

Traffic safety is a serious issue that requires improvement rather than the dismantling of the state's all-rider motorcycle helmet law, a proven traffic safety countermeasure. Over the five-year period of 2018 to 2022, an average of 73 fatal crashes and 935 injury crashes involving a motorcycle occurred each year in Maryland. On Maryland roadways, 75 motorcyclists lost their lives in 2022 while crash impacts on motorcycle riders exceeded the five-year average in both fatalities and injuries.<sup>v</sup> Overall traffic fatalities in the state rose 10 percent between 2012-2021.<sup>vi</sup>

**Motorcycle Helmet Use, Bolstered by All-Rider Laws, is a Proven Lifesaver.**

Motorcycle helmets are proven lifesavers and injury preventers. According to a report by the U.S. Government Accountability Office (GAO), laws requiring all motorcyclists to wear helmets are the only strategy proven to be effective in reducing motorcyclist fatalities.<sup>vii</sup> After Maryland enacted its all-rider motorcycle helmet law in 1992, the motorcyclist death rate (per 10,000 registered motorcycles) from crashes dropped 56 percent over a five-year period.<sup>viii</sup>

State laws requiring all riders to wear helmets are extremely effective in achieving helmet use. Data released from NHTSA show that in states with all-rider helmet laws, use of helmets compliant with federal standards is 86 percent, compared to just 53 percent in states without such a law.<sup>ix</sup> According to NHTSA, in 2021, there were 9.6 times as many unhelmeted fatalities (2,038 fatalities) in states without a universal helmet law compared to states with a universal helmet law (213 fatalities).<sup>x</sup> These states were similar with respect to total resident populations.<sup>xi</sup> The data

are clear – Maryland’s all-rider helmet requirement is working to ensure motorcycle helmet use and the safety of motorcycle riders.

### **Motor Vehicle Crashes, Especially Involving Motorcycles, are Costly to All Marylanders. Helmet Use Reduces Preventable Expenditures.**

Traffic crashes impose a physical, emotional, and financial toll on Maryland families. In 2019, the cost of crashes in Maryland surpassed \$5.9 billion – essentially resulting in a “crash tax” on each Marylander of \$977.<sup>xii</sup>

Annually, motorcycle crashes cost nearly \$17 billion in economic impacts and \$107 billion in societal harm as measured by comprehensive costs based on 2019 data.<sup>xiii</sup> Serious injuries and fatalities accounted for 83 percent of total comprehensive costs of motorcycle crashes, compared to 60 percent of the total comprehensive costs of all motor vehicle crashes.<sup>xiv</sup> Traumatic brain injury is a serious, potentially life-long injury that can result from a motorcycle crash, especially when the rider is not wearing a helmet. In addition to changes in social, cognitive and physical ability, costs for lifetime care for a traumatic brain injury can easily amount to millions of dollars.

Conversely, in 2019, motorcycle helmets prevented \$21.2 billion in societal harm costs, but another \$9.4 billion could have been prevented if all motorcycle riders had worn helmets.<sup>xv</sup> Helmet use reduces the cost of medical treatment, length of hospital stay and probability of long-term disability for those riders injured in crashes. The provisions in SB 503/HB 639 to ostensibly alleviate the risks posed by riders and their passengers riding without a helmet, specifying the exception is for those age 21 and older, mandating two years riding experience and passing a safety course, fail to mitigate the severe and serious damages that will be caused by repealing the state’s all-rider motorcycle helmet law. Further, there is no scientific evidence that motorcycle rider training reduces crash risk and is an adequate substitute for an all-rider helmet law.

### **Motorcycle Helmet Law Repeals Have Resulted in Increased Deaths, Injuries and Associated Costs.**

Experience and data have proven that states which repeal an all-rider motorcycle helmet law always experience an increase in rider deaths, serious and disabling brain injuries, and medical costs usually borne by taxpayers and the state. In Michigan, which repealed its all-rider law in 2012, there would have been 26 fewer motorcycle crash deaths (a 21 percent reduction) if the helmet mandate was still in place that year, according to the University of Michigan Transportation Research Institute.<sup>xvi</sup> Time has only exacerbated the problem as motorcycle deaths were 60 percent higher in 2021 compared to 2011.<sup>xvii xviii</sup> Missouri experienced similar results after repealing its all-rider helmet law. Helmetless motorcycle deaths increased a staggering 567 percent from 2019, the last year the all-rider law was in effect, to 2021, the first full year without the law.<sup>xix</sup>

Furthermore, “minors only” helmet laws, such as SB 503/HB 639 seeks to enact, are ineffective, unenforceable, and unpopular. According to the American Academy of Pediatrics, in states with weak youth-specific helmet laws, use decreased, and youth mortality increased. Serious traumatic brain injury among youth was 38 percent higher in states with age-specific laws compared to states with all-rider helmet laws.<sup>xx</sup> After Florida repealed its all-rider helmet law in 2000, the fatality rate (per 10,000 registered motorcycles) jumped 21 percent. Deaths of riders under the age of 21 who were not helmeted increased 188 percent, even though the law still applied to them.<sup>xxi</sup> Enforcing laws for only young riders is problematic since it is very difficult, if not impossible in certain roadway environments, for law enforcement to estimate a rider’s age. It is also impossible to determine training or length of experience operating a motorcycle in such circumstances.

### **The Public is Concerned about Roadway Safety and Supports All-Rider Helmet Laws.**

A public opinion poll commissioned by Advocates found that overwhelming majorities of respondents were “extremely” or “very” concerned about dangerous driving behaviors and scenarios.<sup>xxii</sup> Two-thirds of poll respondents indicated that they do not think enough is being done to reduce dangerous behavior on our roadways.<sup>xxiii</sup> Further, the American public understands the need for all-rider helmet laws and overwhelmingly supports them as demonstrated by the American Automobile Association (AAA) Foundation Traffic Safety Culture Index, which found more than four in five Americans (82%) support a law requiring all motorcycle riders to wear a helmet.<sup>xxiv</sup> Removing basic safety protections, including Maryland’s all-rider helmet law, runs contrary to public opinion.

If SB 503/HB 639 is passed, it will result in more deaths, injuries, and an increased financial burden on Maryland's emergency services and hospitals and ultimately, every Maryland taxpayer. **Advocates, ENA Maryland State Council, and SMARTER urge you to oppose SB 503/HB 639.** Thank you.

- <sup>i</sup> The Economic and Societal Impact of Motor Vehicle Crashes, 2019 (Revised), NHTSA, Feb. 2023, DOT HS 813 403, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>.
- <sup>ii</sup> Traffic Safety Facts: 2021 Data, Motorcycles, NHTSA, Jun. 2023 (Revised), DOT HS 813 466, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813466>.
- <sup>iii</sup> National Center for Statistics and Analysis. (2022, December). Early estimates of motor vehicle traffic fatalities and fatality rate by sub-categories through June 2022 (Crash•Stats Brief Statistical Summary. Report No. DOT HS 813 405). National Highway Traffic Safety Administration.
- <sup>iv</sup> Traffic Safety Facts. 2020 Data: Motorcycles, NHTSA, May 2022, DOT HS 813 306.
- <sup>v</sup> Crash Summary Report – Motorcycle Involved (2022), Maryland Department of Transportation available at: <https://zerodeathsmd.gov/resources/crashdata/>.
- <sup>vi</sup> *Ibid.*
- <sup>vii</sup> Motorcycle Safety: Increasing Federal Funding Flexibility and Identifying Research Priorities Would Help Support States' Safety Efforts, U.S. Government Accountability Office (GAO), November 2012, available at: <https://www.gao.gov/products/gao-13-42>
- <sup>viii</sup> Autopsy Study of Motorcyclist Fatalities: The Effect of the 1992 Maryland Motorcycle Helmet Use Law, American Journal of Public Health 1352-1355, 92:8, August 2002.
- <sup>ix</sup> Traffic Safety Facts Research Note, Motorcycle Helmet Use in 2021 – Overall Results, National Highway Traffic Safety Administration (NHTSA), March 2022, DOT HS 813 270, available at: <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813270>
- <sup>x</sup> Traffic Safety Facts 2021 Data: Motorcycles, National Highway Traffic Safety Administration NHTSA, June 2023, DOT HS 813 466, available at: <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813466>; 2020 Population and Housing State Data, US Census Bureau, August 2021, available at <https://www.census.gov/library/visualizations/interactive/2020-population-and-housing-state-data.html>
- <sup>xi</sup> Traffic Safety Facts. 2020 Data: Motorcycles, National Highway Traffic Safety Administration (NHTSA), May 2022, DOT HS 813 306, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813306>; 2020 Population and Housing State Data, US Census Bureau, available at <https://www.census.gov/library/visualizations/interactive/2020-population-and-housing-state-data.html>
- <sup>xii</sup> The Economic and Societal Impact of Motor Vehicle Crashes, 2019 (revised), The National Highway Traffic Safety Administration (NHTSA), February 2023, DOT HS 813 403, available at: <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403><sup>xiii</sup> The Economic and Societal Impact of Motor Vehicle Crashes, 2019 (Revised), National Highway Traffic Safety Administration (NHTSA), February 2023, DOT HS 813 403, available at: <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>
- <sup>xiv</sup> The Economic and Societal Impact of Motor Vehicle Crashes, 2019 (Revised), National Highway Traffic Safety Administration (NHTSA), February 2023, DOT HS 813 403, available at: <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>
- <sup>xv</sup> The Economic and Societal Impact of Motor Vehicle Crashes, 2019 (Revised), National Highway Traffic Safety Administration (NHTSA), February 2023, DOT HS 813 403, available at: <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>
- <sup>xvi</sup> Analysis of Motorcycle Crashes: Comparison of 2012 to Previous Years, 18<sup>th</sup> Michigan Traffic Safety Summit, 2013.
- <sup>xvii</sup> NHSTA State Traffic Safety Information for Michigan, accessible at <https://cdan.dot.gov/stsi.htm>.
- <sup>xviii</sup> "Michigan traffic deaths fall 5 percent in 2011". *New Haven Register*. (2012, April 20), available at: <https://www.nhregister.com/news/article/Michigan-traffic-deaths-fall-5-percent-in-2011-11520391.php>
- <sup>xix</sup> State Traffic Safety Information for Missouri (2021), NHTSA, available at <https://cdan.dot.gov/stsi.htm>.
- <sup>xx</sup> Youth Motorcycle-Related Brain Injury by State Helmet Law Type: United States 2005-2007, Pediatrics, Vol. 126, No. 6, 2010.
- <sup>xxi</sup> Traffic Safety Facts: Motorcycle Helmet Use Laws, National Highway Traffic Safety Administration (NHTSA), January 2008, DOT HS 810 887W, available at: <https://www.nhtsa.gov/sites/nhtsa.gov/files/810887.pdf>
- <sup>xxii</sup> Public Concern About Roadway Safety, ENGINE's CARAVAN Survey, January 2022, available at: <https://saferoads.org/wp-content/uploads/2022/01/Advocates-January-2022-Poll-Report-Final.pdf#page=4>
- <sup>xxiii</sup> Public Concern About Roadway Safety, ENGINE's CARAVAN Survey, January 2022, available at: <https://saferoads.org/wp-content/uploads/2022/01/Advocates-January-2022-Poll-Report-Final.pdf#page=4>
- <sup>xxiv</sup> 2017 Traffic Safety Culture Index, AAA Foundation for Traffic Safety, March 2018, available at: <https://aaaafoundation.org/wp-content/uploads/2018/03/TSCI-2017-Report.pdf>