



ABATE OF MARYLAND, INC.

Dedicated to Freedom of the Road & Responsible Motorcycle Legislation Since 1974

To: The Honorable William C. Smith, Jr., Chairman and Members of the Judicial Proceedings Committee

From: Ken Eaton, Director, Executive Director, ABATE of Maryland, Inc.

Date: February 4, 2025

Re: **SB397** - Vehicle Laws - Protective Headgear Requirement - Exception (In Remembrance of Gary "Pappy" Boward)

Position: **FAVORABLE: SUPPORT**

I am a BIKER from Queen Anne's County MD – District 36. I have ridden many, many miles of smiles across 30 different states in nearly 40 years on street bikes. I attend leadership and legislative seminars, I have been to several "Meeting of the Minds" events where bikers from all over the country, and a few from other countries, gather to discuss motorcycle related issues. I attend Transportation Safety Summits, meet with all types of motorcycle related groups, clubs, and independent riders alike. I am a part of a large group of **motorcycling experts**. We spend a large part of our lives around motorcycles and bikers.

ABATE of Maryland, Inc. represents over 100,000 on road motorcycles that are registered in Maryland. We are a state motorcycle rights organization that brings together the voices of independent riders, clubs, riding organizations, etc. We have chapters throughout the state and our members include a diverse cross-section of motorcycle riders in Maryland. We cover the mountains to the ocean and every place in-between. Our members and friends include people of every race. We have junior members that hope to ride the roads alongside us one day. All of our members and board members are VOLUNTEERS. No one gets paid to be a part of our organization. We all dedicate our personal time and money to fighting for motorcyclists' rights.

ABATE of Maryland, Inc. **SUPPORTS SB 397** - Vehicle Laws - Protective Headgear Requirement - Exception (In Remembrance of Gary "Pappy" Boward). A large portion of our membership feels very strongly that the **FREEDOM OF CHOICE** regarding the use of motorcycle helmets in Maryland should be restored to us as motorcyclists. Please note that the Fiscal Policy on this bill in 2024 was listed as minimal. It states that "any impact of Medicaid expenditures and federal fund revenues is assumed to be negligible." During times of budget woes like we have right now, "negligible" cost should be important.

ABATE is NOT a one trick pony. We have worked in the halls in Annapolis since 1974. We have fought for and against numerous pieces of legislation. If it affects motorcyclists, we are tracking it and working on it. We try to make sure that the state, counties, and municipalities are a part of May is Motorcycle Safety & Awareness Month. We work closely with MDOT-MVA to hold motorcycle safety events and make sure that some of the motorcycle registration funds go back towards motorcycle safety & awareness. We were instrumental in getting the Motorcycle Safety Program started in Maryland. We have worked on bills that include violation of right-of-way, profiling, toll increases, passenger footrests, handlebar heights, license plate size, night-time awareness auxiliary lighting, definition of a motorcycle, motorcycle parking, motorcycle check points, and helmet bills, just to name a few.

Right now, we would like to make Maryland the 34th state to provide **FREEDOM OF CHOICE** regarding helmets. Currently, there are 33 other states that do not have mandatory helmet laws for motorcyclists.

- 3 states are 100% Freedom of Choice
- 30 states are Freedom of Choice – Age Restricted

- 17 states & Washington DC have a helmet mandate for ALL riders

The 33 states that allow **FREEDOM OF CHOICE** are not on the brink of bankruptcy because motorcyclists are NOT wearing helmets. Actually, we have found that most of the **FREEDOM OF CHOICE** states have a lesser rate of fatal accidents per registered motorcycle than mandatory helmet states. As motorcyclists, we seem to get pigeon-holed as being a “social burden.” Surely there are numerous other accidents such as falls at the house, car & truck accidents, sports injuries, etc., that significantly contribute to traumatic injury statistics. Cancer, heart disease & strokes are the top three killers in Maryland. Vehicle crashes are lumped into the number 4 slot with several other “Preventable Injuries”.

We were successful in getting legislation passed in Maryland that prohibited profiling of motorcyclists. We should start thinking about why we are being profiled as being more of a “social burden” than any other injury classification. Why are pedestrians, bicycle riders, water/snow skiers, boaters, mountain bikers, automobile drivers, commercial truck drivers, etc., not mandated to wear helmets? As motorcyclists, we are **MANDATED** by law to make an additional purchase of a motorcycle helmet, that is allegedly a required safety device. No other vehicle classification on the roadway requires adults to make additional “safety device” purchases to enjoy driving or riding after the initial purchase.

The other side of this is a helmet only protects approximately 17% of the average body. There are numerous other vital organs and body parts that remain unprotected in the other 83%. Quite often, motorcycle riders receive major chest, spine, legs, arms, and other significant injuries. As motorcycle riders, we take inherent risks to enjoy our way of life. Gloves, boots, jackets, chaps, etc. are all other tools available to us to use as we feel necessary. Personally, I would never go on the road without boots and jeans. Others are perfectly comfortable wearing sneakers and shorts. It is a **FREEDOM OF CHOICE**.

Most of us have had friends that have experienced motorcycle accidents. Some have been minor; some have been major. However, there are over 4 million licensed drivers in the State of Maryland, with over 100,000 of them being licensed to ride motorcycles. We are talking about 2.5% of the licensed drivers, probably much less as many that are licensed just do not ride or own motorcycles any longer. I had friends that have worn helmets in accidents and died. I also have had friends that were not wearing helmets and made out fine. I also have had many, many, more friends that have died of other causes such as heart disease, cancer, traumatic brain injuries from falls at home, construction accidents, automobile accidents, COVID, the list goes on. At some point, if you believe in any higher power, you really just have to realize that **NONE** of us are going to make it out alive. We are **ALL** going to die someday. No helmet or any other device is going to stop our deaths if it is our time to go. I have an expiration date, I just do not know what date that is, and I prefer to live my life to the fullest.

Regarding medical costs, according to the National Highway Traffic Safety Division (NHTSA), DOT HS 810 581 – Rehabilitation Costs and Long Term Consequences of Motor Vehicle Injury publication, the following is the “Adjusted Federal Prospective Payment for Motorcyclists by Diagnosis Group (in 2002 dollars), specifically relating to Traumatic Brain Injury, which seems to be of great concern to some.

Diagnosis Group	Motorcycle Injury	Other Motor Vehicle	Attempted Suicide	Assault	Other Unintentional
Traumatic Brain Injury	\$ 16,545	\$ 16,441	\$ 17,096	\$ 15,369	\$ 15,169

Even if you adjust these for 2025 dollars, the ratios stay the same. TBI’s as a result of a motorcycle injury are less costly than “Attempted Suicide,” and pretty close to the “Other Motor Vehicle” category. Even when you look at the Average cost per day (mean total cost / Average length of stay), the TBI costs are lower than the average of \$796 when compared to the other Rehabilitation Impairment Categories (RIC).

Bottom line, accidents happen. The cost of caring for an un-helmeted rider vs a helmeted rider does not seem to make a significant difference, especially considering amputation, fractures, and other orthopedics.

Bikers as a group are blue collar, white collar, no collar, and everything in between. We belong to professional organizations, social organizations, and fraternal organizations. We are Elks, Masons, Shriners, Lions, the local PTO, and scout leaders, etc. Many are active or retired military. Many of us belong to other riding organizations. American Legion Riders, VFW Riders, ABATE of nearby states, Winged Riders, or any of the numerous clubs and groups. We are members of other motorcycle organizations such as the American Motorcyclist Association, The Motorcycle Riders Foundation, Bikers Without Borders, Bikers Against Child Abuse, etc. We plan, attend, donate and spend countless hours and dollars supporting events that benefit our communities.

There are many members here in the General Assembly that own and ride motorcycles. As many of you are aware, motorcycling is not an inexpensive lifestyle. Motorcycles range in cost from \$5,000 to \$50,000 or even higher. An exceptionally large percentage of us have medical insurance coverage. Actually, in Maryland, most people are required to have health insurance or pay a penalty in taxes. I think the poor dirty biker argument that is a “social burden” has gone away long ago. The Maryland Health Connection was started some time ago, to “protect your health and your wallet.”

Also, Maryland is situated between two states that do not have mandatory helmet laws. Riders from **FREEDOM OF CHOICE** states will often bypass Maryland, as long as possible. They spend their money elsewhere buying gas, food, drink, hotel rooms, parts, services, accessories, and many other items. I live only about 17 miles from the Delaware line. Often, I choose to ride in Delaware and PA to do my riding where I can have the **FREEDOM TO CHOOSE**. My hard-earned dollars go to businesses in those states when I am riding there.

The Town of Ocean City Maryland is the host town to a large motorcycle rally every fall. Riders from all over the country converge upon Ocean City and the surrounding areas for the event. Many riders from Delaware, Pennsylvania, Ohio, Indiana, and Michigan, travel through Delaware as long as possible to enjoy the **FREEDOM OF CHOICE**. Yes, motorcyclists will go out of their way to avoid a particular state or roadway, just as easily as they will travel long distances to enjoy a rally, a scenic road, or a side trip to a fantastic destination. The reality is many are spending their tourism dollars in other states as long as possible before coming to Maryland. Many other riders refuse to come to Maryland because they are not allowed to have the Freedom to Choose. For example, one of the largest rallies in the country is located in South Dakota. Once a rider leaves Maryland, he can head up through Pennsylvania and go all the way to Sturgis SD and enjoy the Freedom to Choose. That is over 1800 miles one way! I have personally done it several times and have thoroughly enjoyed the ride! So far, Idaho is my furthest destination away from home while riding.

Here are a few facts about **FREEDOM OF CHOICE** states. Many of these events have attendance in the hundreds of thousands of bikers. Think about those tourism dollars.

Major US Motorcycle Rally locations:

- Daytona Bike Week - *Florida: FREEDOM TO CHOOSE*
- Laconia Bike Week – *New Hampshire: FREEDOM TO CHOOSE*
- Myrtle Beach Bike Week – *South Carolina: FREEDOM TO CHOOSE*
- Republic of Texas Bike Rally - *Texas: FREEDOM TO CHOOSE*
- Hog Rock - *Illinois: FREEDOM TO CHOOSE*

- Sturgis Motorcycle Rally – *South Dakota: FREEDOM TO CHOOSE*
- Bikes, Blues & BBQ - *Arkansas: FREEDOM TO CHOOSE*

One more group of parting thoughts, as provided to us from ABATE of Arkansas:

- Why are motorcyclists the ONLY operators and, or passengers of any motorized form of transportation used on public highways and streets that are required by law to wear a crash helmet?
- Why would auto drivers and passengers NOT be required to wear helmets if in fact “safety and reduction of injuries” is the public concern of the helmet issued mandated to motorcyclists?
- Why aren’t mandatory motorcycle helmet laws considered selective, class discrimination?
- Why are motorcycle accidents victims seen, as a whole, by the medical profession to be “Burdens to Society” whereas the auto accident victims with similar injuries are not?
- Why does the non-motorcycling public perceive us as “bikers only,” when in fact our motorcycles are usually in addition to what the non-motorcycling public has or does, which means we also have jobs, kids, homes, and insurance?
- Why is it OK for un-helmeted people to ride around in a convertible auto with the top down while playing bumper cars in traffic and it is NOT OK for an un-helmeted motorcyclist to do the same thing? *(or some autocycles, scooters, golf carts, UTV’s, microcars, etc.)*
- Why does the state mandate safety equipment usage with a penalty for non-compliance, while at the same time refuses to be held liable for injuries one might receive in an accident because of and due to compliance with the law?

We are not asking to make motorcycle helmets illegal in Maryland. We are asking that experienced adult riders be provided the **FREEDOM OF CHOICE** regarding helmet usage. I suspect that just like in many other states, there will be a pretty varied range of helmet usage. Some will always wear helmets, some will never wear helmets, and some will wear a helmet when they feel appropriate.

I have attached two documents along with my testimony:

- Traffic Crash & Injury Data, prepared by ABATE of Maryland, Inc, dated January 2055
- Position Paper in Favor of SB503 & HB639 (2024), prepared by Dean Howes, ABATE of Maryland, Inc. – Calvert County

There is some interesting data and positions in both of these documents. If you have any questions, please feel free to reach out to us to discuss. We urge the committee to consider a **Favorable** vote on **SB397** and move it to the Senate floor for a vote.

Thank you!



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Dedicated to Freedom of the Road & Responsible Motorcycle Legislation Since 1974

Traffic Crash & Injury Data

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In SUPPORT of
SB0397: Motorcycles - Protective Headgear Requirement – Exception
(In Remembrance of Gary "Pappy" Boward)

Date:

January 2025

Maryland Motorist & Registration Data

Total number of motor vehicle registrations (2018-2023 average-MD CRASH):	5,090,649
Total number of motorcycle registrations (2018-2023 average-IIHS)	119,139

Maryland CRASH Data

(MDOT CRASH Dashboard data comes from the Maryland Department of State Police Automated Crash Reporting System (ACRS) and the MDSP Data Warehouse

The following data is provided by the MD DOT Crash Data Dashboard, yearly average, years 2018 thru 2023).

Total Vehicle FATAL Crashes	558 (100%)
Total Motorcycle FATAL Crashes	74 (13.3%) *
Total Pedestrian FATAL Crashes	132 (23.6%)
 Total Injury Crashes	 29,680 (100%)
Injury Crashes – Motorcycle	935 (3.15%) **
Injury Crashes - pedestrians on foot	2,430 (8.19%)
Injury Crashes - Bicycle or pedalcycle	612 (2.06%)

* The national statistics provided by NHTSA indicate that on average, 14.1% of the FATAL crash victims in the US are motorcyclists annually, based upon data from 2010 thru 2020.

** The national statistics provide by NHTSA indicate that on average, 3.5% of the INJURY crash victims in the US are motorcyclists annually, based upon data from 2010 thru 2020.

Maryland Crash Data Review

0.011% of the motor vehicles registered in Maryland are involved in FATAL CRASHES

0.58% of the motor vehicles registered in Maryland are involved in INJURY CRASHES

3.15% of the total INJURY CRASHES in MD involve MOTORCYCLES

8.19% of the total INJURY CRASHES in MD involve PEDESTRIANS ON FOOT

2.06% of the total INJURY CRASHES in MD involve BICYCLES OR PEDALCYCLES

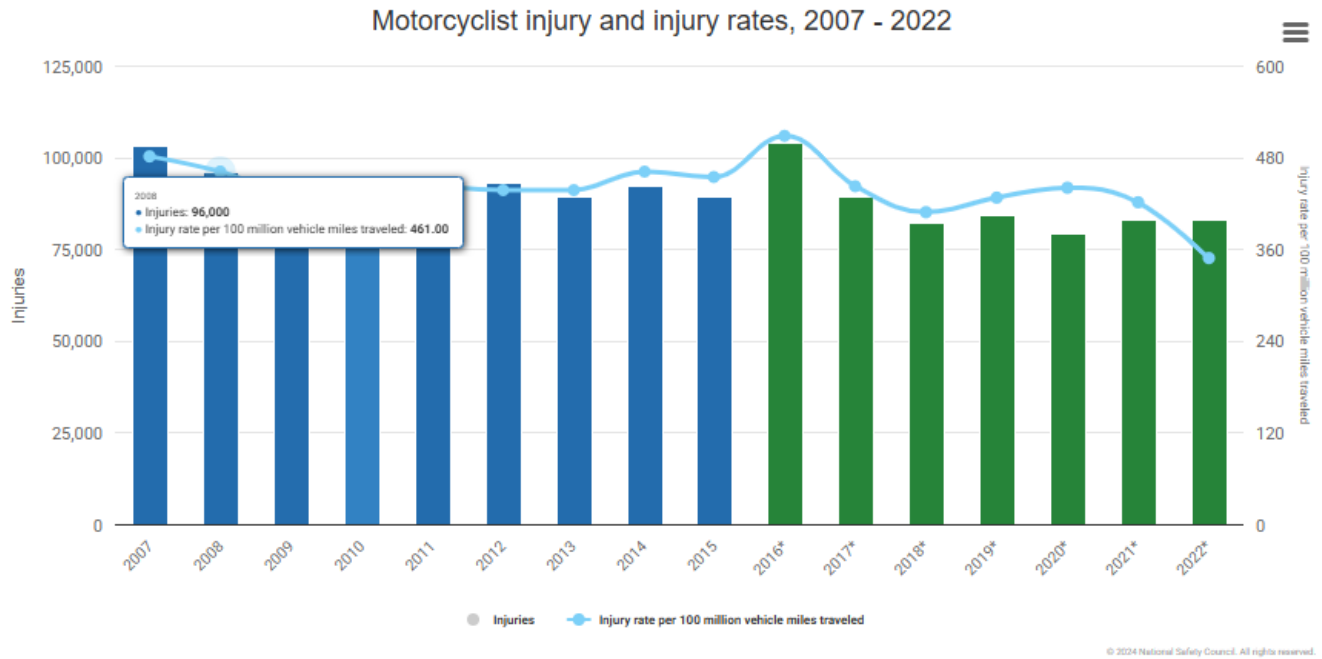
10.25% of the total INJURY CRASHES in MD are NONOCCUPANTS

(NONOCCUPANTS = PEDESTRIANS + BICYCLE OR PEDALCYCLE)

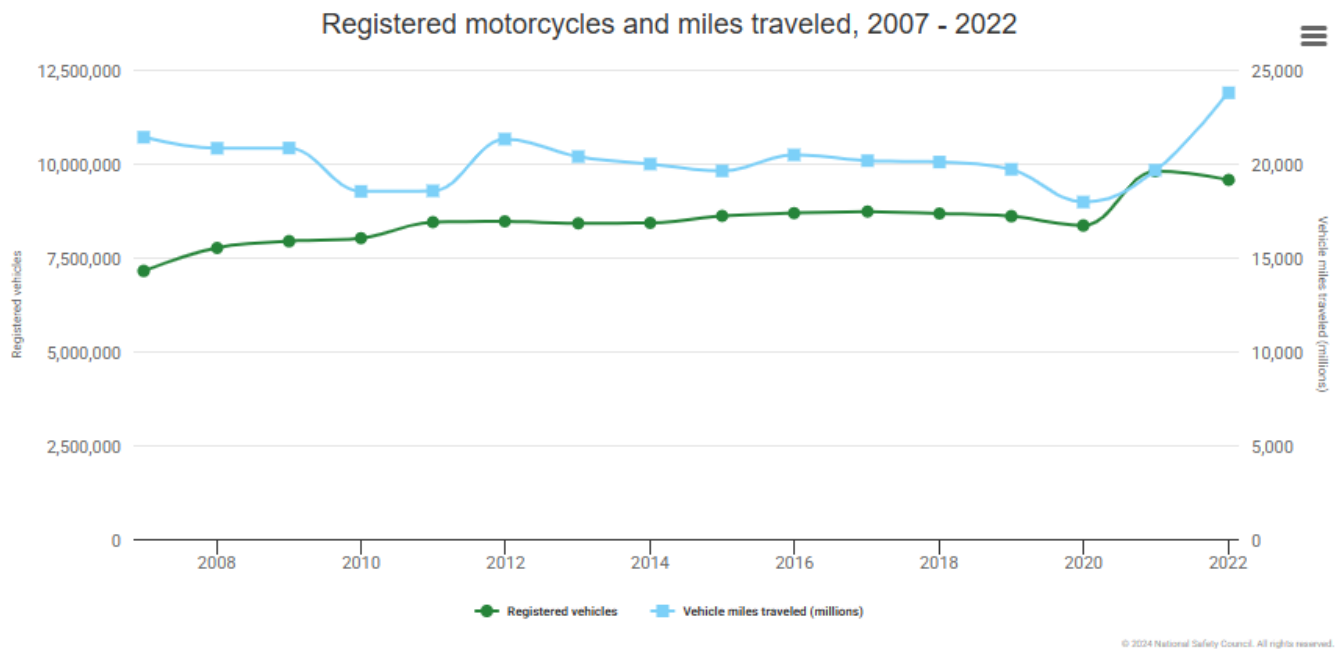
NONOCCUPANTS are 3.2 times more likely to be involved in an INJURY CRASH in Maryland than MOTORCYCLISTS.

** The data summary here assumes all classifications in crashes are Maryland registered vehicles. In reality, the crash data includes out-of-state vehicles, and the numbers / percentages would actually be lower*

National Safety Council Data (for the entire US)



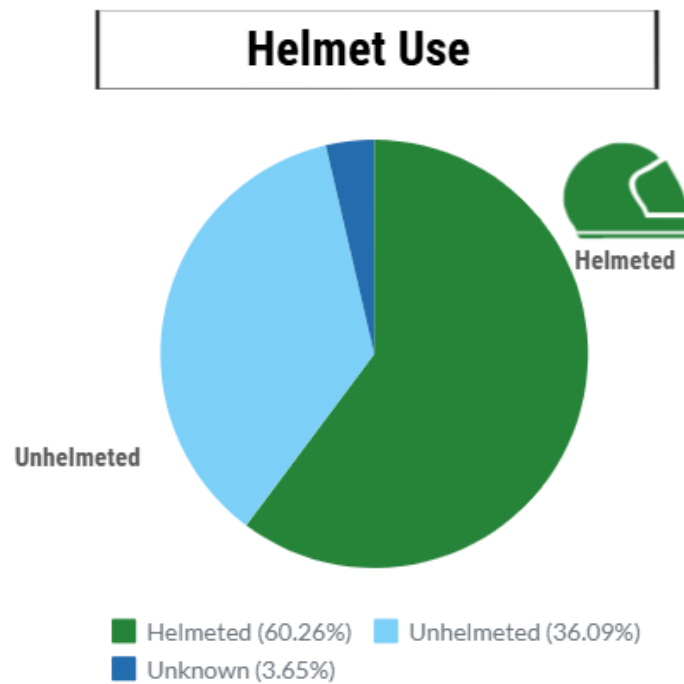
Nationwide, over a period of 15 years, motorcyclists' injury crashes have reduced.



Nationwide, over a period of 14 years, motorcyclists' Vehicle Miles Traveled have remained consistent, with the exception of the time period from 2020 to 2022, where the VMT and the number of registered motorcycles has increased.

National Safety Council Data (for the entire US) - continued

MOTORCYCLE TRAFFIC DEATH OVERVIEW, 2022



In 2022, the states that experienced the MOST MOTORCYCLE DEATHS were:

Florida (668)

California (634)

Texas (564)

Arizona (232)

Georgia (221)

North Carolina (220)

Helmet Mandate states

In 2022, four states and the District of Columbia EXPERIENCED FEWER THAN 20 MOTORCYCLE DEATHS:

District of Columbia (4)

Alaska (8)

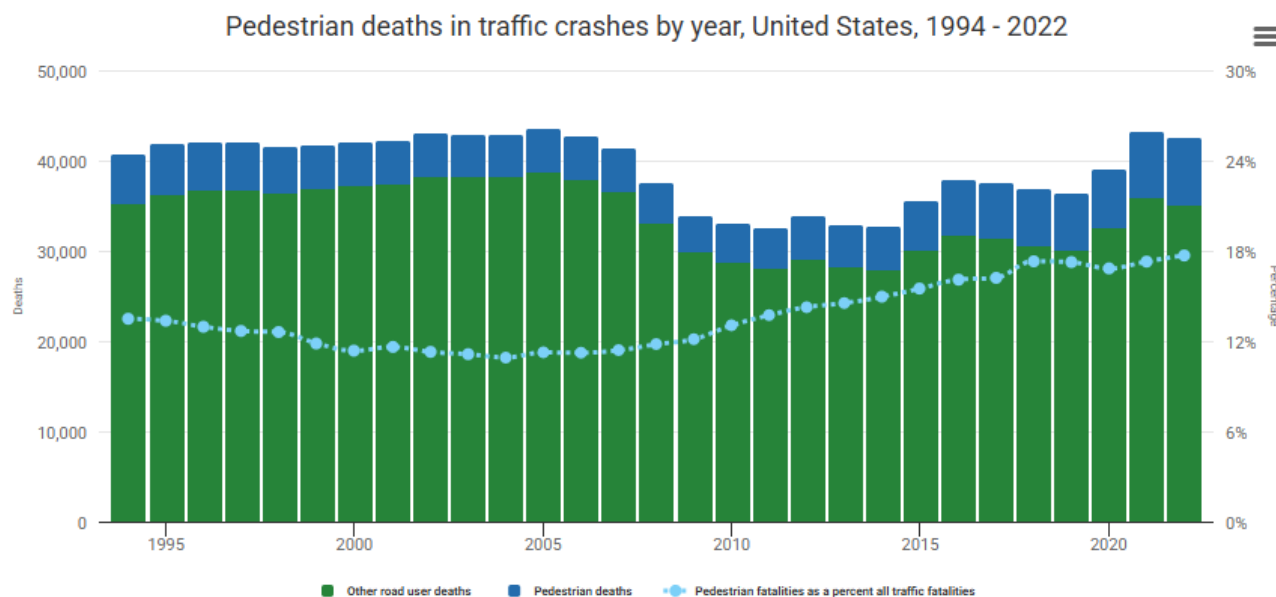
Rhode Island (10)

South Dakota (13)

Vermont (14)

Freedom of choice states

National Safety Council Data (for the entire US) - continued

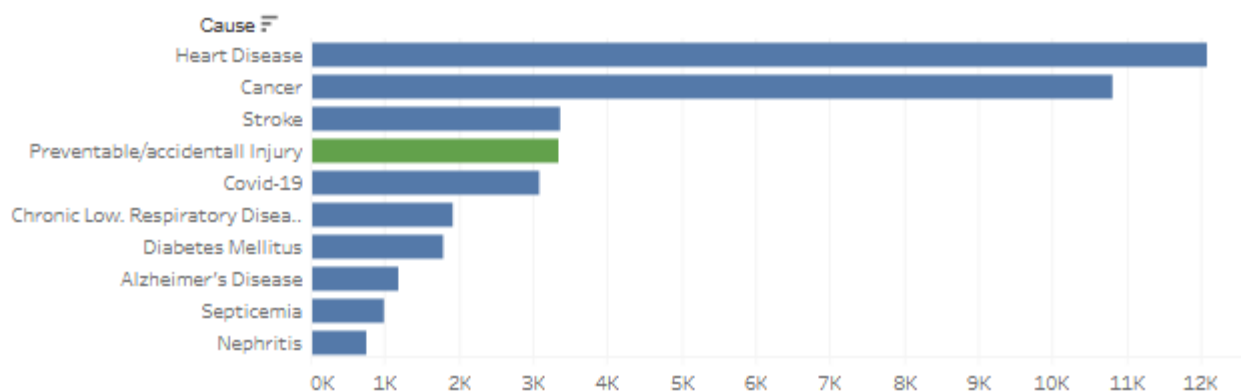


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Nationwide, over a period of 28 years, pedestrian deaths in traffic crashes have increased.

NSC DATA – MARYLAND ONLY

Leading causes: All deaths, Maryland



injuryfacts.nsc.org

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nsc

“PREVENTABLE/ACCIDENTAL INJURY” includes motor vehicle accidents, falls at home, sports injuries, etc.

Common Causes of Traumatic brain injury

Falls lead to nearly half of the TBI-related hospitalizations

Firearm-related suicide is the most common cause of TBI-related deaths in the United States

Motor vehicle crashes and assaults are other common ways a person may get a TBI

NHTSA CRASHSTATS DATA

NATIONAL STATISTICS														
	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010			
POLICE-REPORTED MOTOR VEHICLE TRAFFIC CRASHES														
Fatal	35,766	33,487	33,919	34,560	34,748	32,538	30,056	30,202	31,006	29,867	30,296		32,404 Average	
Injury	1,593,390	1,916,344	1,893,704	1,888,525	2,116,308	1,715,394	1,647,726	1,591,016	1,634,180	1,529,968	1,542,104		1,733,514 Average	
Property-Damage-Only	3,621,681	4,806,253	4,807,058	4,529,513	4,670,073	4,548,203	4,386,502	4,065,673	3,949,858	3,777,994	3,847,045			
Total	5,250,837	6,756,084	6,734,681	6,452,598	6,821,129	6,296,134	6,064,284	5,686,891	5,615,045	5,337,829	5,419,445			
TRAFFIC CRASH VICTIMS: FATALITIES														
Occupants	25,536	23,891	24,332	25,130	25,276	23,899	22,307	22,483	23,017	22,510	23,371		23,796 Average	
Drivers	19,519	17,984	18,321	18,819	18,717	17,615	16,470	16,520	16,838	16,474	16,864		17,649 Average	
Passengers	5,966	5,846	5,962	6,237	6,485	6,213	5,766	5,896	6,106	5,972	6,451			
Unknown	51	61	49	74	74	71	71	67	73	64	56			
Motorcyclists	5,579	5,044	5,038	5,226	5,337	5,029	4,594	4,692	4,986	4,630	4,518		4,970 Average	
Nonoccupants	7,709	7,420	7,465	7,117	7,193	6,556	5,843	5,718	5,779	5,339	5,110		6,477 Average	
Pedestrians	6,516	6,272	6,374	6,075	6,080	5,494	4,910	4,779	4,818	4,457	4,302			
Pedalcyclists	938	859	871	806	853	829	729	749	734	682	623			
Other/Unknown	255	289	220	236	260	233	204	190	227	200	185			
Total	38,824	36,355	36,835	37,473	37,806	35,484	32,744	32,893	33,782	32,479	32,999			
Percentage of motorcyclists: Fatalities	14.4%	13.9%	13.7%	13.9%	14.1%	14.2%	14.0%	14.3%	14.8%	14.3%	13.7%		14.1% Average	
Percentage of nonoccupants: Fatalities	19.9%	20.4%	20.3%	19.0%	19.0%	18.5%	17.8%	17.4%	17.1%	16.4%	15.5%		18.3% Average	
TRAFFIC CRASH VICTIMS: INJURED														
Occupants	2,093,246	2,516,003	2,491,630	2,523,274	2,791,199	2,240,578	2,125,137	2,104,828	2,140,173	2,019,259	2,035,571			
Drivers	1,545,689	1,857,836	1,808,088	1,815,719	2,003,557	1,610,337	1,525,693	1,454,243	1,492,293	1,419,969	1,435,324			
Passengers	546,822	657,215	680,789	707,219	786,900	629,473	599,277	650,320	647,242	598,731	599,870			
Unknown	735	952	2,752	336	742	768	167	264	638	559	377			
Motorcyclists	82,528	83,814	81,859	88,592	104,442	88,738	91,987	88,760	93,251	81,706	82,300		87,998 Average	
Nonoccupants	106,241	140,324	136,570	133,401	166,245	125,463	125,497	125,404	135,659	126,243	130,117		131,924 Average	
Pedestrians	54,769	75,650	75,157	71,290	86,399	70,077	65,072	65,929	76,129	69,036	70,267			
Pedalcyclists	38,886	49,057	46,536	49,698	64,218	45,066	50,414	48,088	49,300	48,134	51,688			
Other/Unknown	12,586	15,617	14,877	12,414	15,628	10,319	10,010	11,387	10,231	9,073	8,162			
Total	2,282,015	2,740,141	2,710,059	2,745,268	3,061,885	2,454,778	2,342,621	2,318,992	2,369,083	2,227,209	2,247,988			
Percentage of motorcyclists injured	3.6%	3.1%	3.0%	3.2%	3.4%	3.6%	3.9%	3.8%	3.9%	3.7%	3.7%		3.5% Average	
Percentage of nonoccupants injured	4.7%	5.1%	5.0%	4.9%	5.4%	5.1%	5.4%	5.4%	5.7%	5.7%	5.8%		5.3% Average	
OTHER NATIONAL STATISTICS														
Vehicle Miles Traveled (Millions)	2,903,622	3,261,772	3,240,327	3,210,248	3,173,815	3,089,841	3,020,377	2,982,941	2,963,497	2,945,194	2,967,266			
Resident Population	329,484,123	328,329,953	326,838,199	325,122,128	323,071,755	320,738,994	318,386,329	316,059,947	313,877,662	311,583,481	309,327,143			
Registered Vehicles	297,644,334	299,267,114	297,036,214	290,335,891	288,033,900	281,312,446	274,804,904	269,294,302	265,647,194	265,043,362	257,312,235			
Licensed Drivers	228,195,802	228,915,520	227,558,385	225,346,257	221,711,918	218,084,465	214,092,472	212,159,728	211,814,830	211,874,649	210,114,939			
NATIONAL RATES: FATALITIES														
Fatalities per 100 Million Vehicle Miles Traveled	1.34	1.11	1.14	1.17	1.19	1.15	1.08	1.10	1.14	1.10	1.11			
Fatalities per 100,000 Population	11.78	11.07	11.27	11.53	11.70	11.06	10.28	10.41	10.76	10.42	10.67			
Fatalities per 100,000 Registered Vehicles	13.04	12.15	12.40	12.91	13.13	12.61	11.92	12.21	12.72	12.25	12.82			
Fatalities per 100,000 Licensed Drivers	17.01	15.88	16.19	16.63	17.05	16.27	15.29	15.50	15.95	15.33	15.71			
NATIONAL RATES: INJURED PERSONS														
Injured Persons per 100 Million Vehicle Miles Traveled	79	84	84	86	96	79	78	78	80	76	76			
Injured Persons per 100,000 Population	693	835	829	844	948	765	736	734	755	715	727			
Injured Persons per 100,000 Registered Vehicles	767	916	912	946	1,063	873	852	861	892	840	874			
Injured Persons per 100,000 Licensed Drivers	1,000	1,197	1,191	1,218	1,381	1,126	1,094	1,093	1,118	1,051	1,070			
<p><i>Note: The above Injured People and Property-Damage-Only, Injury, and Total crash numbers are not actual counts, but estimates of the actual counts. The estimates are calculated from data obtained from a nationally representative sample of crashes collected through NHTSA's NASS General Estimates System (GES) and Crash Report Sampling System (CRSS).</i></p> <p>Sources: Crashes, Fatalities, Injured, and Costs - National Highway Traffic Safety Administration.</p> <p>Population - U.S. Bureau of the Census.</p> <p>Vehicle Miles Traveled and Licensed Drivers - Federal Highway Administration (FHWA).</p> <p>Registered Vehicles - FHWA and Polk data from R.L. Polk & Co., a foundation of IHS Markit automotive solutions.</p>														
Traffic Safety Facts Annual Report, June 2022: NHTSA - CrashStats														

The data compiled in this report has been obtained from the following sources:

- MDOT CRASH Dashboard: data comes from the Maryland Department of State Police Automated Crash Reporting System (ACRS) and the MDSP Data Warehouse
- The Insurance Institute for Highway Safety (IIHS)
- The National Highway Traffic Safety Administration (NHTSA)
- The National Safety Council (NSC)

Summary

In Maryland, motorcyclists are NOT involved in 87% of the FATAL Crashes. They are also NOT involved in 97% of the INJURY crashes. This is consistent with the nationwide average of motorcyclists NOT being involved in 86% of the FATAL crashes and NOT involved in 96% of the INJURY crashes, based upon data from the NHTSA.

Nationwide data includes data from all 50 states. What that really says is as follows:

- 33 States allow the Freedom of Choice regarding motorcycle helmets (65%)
- 18 states + DC have a helmet mandate in place (35%)
- Nationwide, 60.26% of all motorcycle fatalities are motorcyclists wearing helmets

Facts

Motorcycle helmets DO NOT PREVENT ACCIDENTS. Motorcycle safety training and education PREVENT ACCIDENTS from happening. However, in Maryland, the motorcycle safety training & education courses are **significantly** more expensive than our neighboring states. We are currently working with the safety program and some legislative representatives to determine why the cost has risen so much compared to neighboring states. A brief summary is provided below:

Average cost of a Basic Rider Course (BRC):

- Maryland: \$362
- Delaware \$50 *
- Pennsylvania: \$FREE *

* As an out-of-state resident, you can go to both Delaware & Pennsylvania and take the BRC for significantly less than a resident of Maryland can take it in Maryland.

In 2022, 50% of the states that had the most motorcycle crash related FATALITIES were states with MANDATORY HELMET LAWS.

Also in 2022, 60% of the states/DC that had fewer than 20 motorcycle crash related FATALITIES were states with where motorcyclists were provided with the FREEDOM OF CHOICE.

Motorcyclists are the only registered drivers on the road that are required to purchase additional safety equipment after they have purchased their vehicle. The states that require helmet mandates are requiring an additional purchase, not included in the purchase of a new or used motorcycle, in order to operate the motorcycle on the roadways. Helmets come in a wide variety of shapes, sizes and cost. The average helmet cost \$250. The cost can go up to over \$1000 for some motorcycle helmets. In addition, over time, they deteriorate, and most manufacturers recommend replacement every 3 to 5 years. Some manufacturers recommend getting your helmet inspected, and possibly replaced, after dropping in on a hard surface from a distance of just 3 feet.

Motorcycle helmets are typically tested and designed to withstand impacts at speeds ranging between 11-17 mph (5.2-7.5 meters per second), with most standards using impact speeds within the 9-16 mph range, depending on the specific test protocol and certification body like DOT, Snell, or ECE. So, unless you are involved in a crash in your driveway or in a parking lot, you are normally exceeding the speeds that "safety device" was tested.

Helmet Requirements in Maryland

Motorcycle Riders: DOT Approved, FMVSS No. 218 certification required

- Required for all motorcycle riders on public roadways

Horseback rider: ASTM F1163-23 – Standard Specification for Protective Headgear Used in Horse Sports and Horseback Riding

- Required for minors on horses, donkeys, mules and ponies on a public riding trail or pathway
- Not required for a minor crossing a public highway, engaging in an ag practice, or receiving therapy services from a licensed medical provider and for who an alternative helmet is necessary, and is in compliance with the Professional Association of Therapeutic Horsemanship International Guidelines for Alternative Helmet Use

Bicyclists: ANSI Z90.4, Snell Memorial Foundation, ASTM F1447 for protective headgear for use in bicycling

- Required for any riders under the age of 16
- Exemptions: Ocean City on the boardwalk

Jet Pack Vessels: Required for all jet pack users / operators

- According to the MD DNR, it must be a “water sports helmet”, but there is no known specification or testing requirement

Parasailing: No requirement

Skiing and Snowboarding: No requirement

In Maryland, the ***only*** activity requiring mandatory helmet use for adults, with a specific testing / certification, is motorcycling.

Observations

Motorcyclists’ that have been riding for many years have obviously gone to funerals for family members and friends that have passed on. However, ALL of us have lost significantly more family members and friends to heart disease, cancer, strokes, etc., than we have from motorcycle accidents.

Experienced riders have the skill sets to automatically react to situations that they encounter on the roadways. It is pretty hard to explain, but in most challenging situations, all you can rely on is your riding experience and reaction.

Based upon observations in FREEDOM Of CHOICE states, helmet usage varies greatly. It appears that some riders will always wear them, some will never wear them, and some riders will wear them when they feel that they want it. There does not appear to be any significant statistical information that indicates that helmet mandates change the fact that approximately 14% of all fatal accidents nationwide on the roadways involve motorcycles. In fact, in 60% of all FATAL MOTORCYCLE accidents, the riders were wearing a motorcycle helmet. Interestingly enough, the percentage of motorcyclists injured in crashes amounts to only 3.5% of the total injury crashes.

Motorcycle Safety Training & Awareness

ABATE of Maryland, Inc. was instrumental in starting the Motorcycle Safety Program, many years ago, in Maryland, as well as assisting our neighboring states get their programs up and running. Many

of our members are certified motorcycle safety training instructors. Our members have joined together to advocate training as the foremost means of reducing accidents and injury. We work together with the safety program to make sure that a portion of the funds collected from motorcycle registrations are used for motorcycle safety and awareness. Our goal is to provide information and training to riders and to the general driving public, to prevent accidents from happening.

Currently in the US, the motorcycle laws are as follows:

33 states currently allow FREEDOM OF CHOICE to motorcyclists'

