

February 4, 2025

The Honorable William C. Smith, Jr.
Chair, Senate Judicial Proceedings
2 East, Miller Senate Office Building
Annapolis, MD 21401

RE: Letter of Opposition – Senate Bill 397 – Motorcycles - Protective Headgear Requirement - Exception (In Remembrance of Gary "Pappy" Boward)

Dear Chair Smith and Committee Members:

The Maryland Department of Transportation (MDOT) respectfully opposes Senate Bill 397 but offers the following information for the Committee's consideration.

SB 397 creates an exception to the motorcycle helmet requirement for individuals who are at least 21 years of age and who have either been licensed to operate a motorcycle for at least two years or have completed a motorcycle rider safety course approved by the Administrator of the MDOT Motor Vehicle Administration (MVA) or the Motorcycle Safety Foundation.¹

Currently, all motorcycle riders, including passengers, must wear motorcycle helmets that comply with Federal Motor Vehicle Standard (FMVSS) No. 218. The use of motorcycle helmets has proven effective in reducing serious head injuries among motorcyclists involved in crashes with no substantive adverse safety effects. Nevertheless, 14 percent of motorcycle riders and passengers who die on average each year on Maryland roadways were not wearing a helmet. Each year, on average, there are 75 fatalities, and 1,150 injuries involving motorcycle riders and passengers on Maryland roadways.

The Governors Highway Safety Association (GHSA) found that when a universal helmet law is repealed, helmet use drops substantially. The State of Michigan repealed its universal helmet law in 2012, and according to the Michigan State Police, annual fatalities from motorcycle-involved crashes saw an increase of 23 percent compared to pre-repeal. The GHSA urges states to oppose efforts to repeal universal motorcycle helmet laws and encourages states to adopt helmet use laws for all riders.

According to the National Highway Traffic Safety Administration (NHTSA), helmet use is substantially lower in states that do not have a universal helmet law. In 2021, 96% of motorcyclists observed in states with universal helmet laws were wearing helmets. In states without such laws, helmet use was 57%. Use of helmets judged to be compliant with federal

¹ Additionally, SB 397 authorizes passengers who are at least 21 years old to ride without a helmet if the motorcycle is operated by an individual that meets the conditions noted above.

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safety regulations was 86% among motorcyclists in states with universal helmet laws and 53% in states without such laws.

Currently, 17 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands have universal helmet laws. Motorcycle licensure carries no requirements to gain experience or improve skills over time. A rider may obtain a motorcycle license and never again ride a motorcycle. Under the provisions of SB 397, a rider who has held a motorcycle license for two years but who has no further riding experience would be exempt from the helmet use requirement, as would anyone over the age of 21 taking the motorcycle safety course; and any passenger 21 years or older.

The Maryland MVA-approved motorcycle rider safety courses encourage the use of full protective riding gear by riders and passengers when operating and riding on a motorcycle. SB 397 permits a person to ride without a helmet simply because the rider has completed the approved rider safety course, regardless of how recently that safety training was completed.

For these reasons, the Maryland Department of Transportation respectfully requests an unfavorable vote on Senate Bill 397.

Respectfully submitted,

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