

***Request for an UNFAVORABLE Report***

**Testimony in Opposition to Senate Bill 397**

Motorcycles - Protective Headgear Requirement – Exception  
*Before Judicial Proceedings Committee: February 4, 2025*

The Legal Resource Center for Public Health Policy **opposes Senate Bill 397** because it would repeal the requirement that operators of and passengers on motorcycles wear a helmet, a public health and safety provision that protects against serious injury and death on Maryland roads. Although the bill title suggests this is merely an exception to the comprehensive motorcycle helmet requirement in existing law, the exception is quite broad, covering the vast majority of operators and passengers. Moreover, enforcement of a less-than-comprehensive helmet requirement is exceedingly difficult as law enforcement officers are not able to determine if an operator meets the broad exception created in this bill, likely resulting in little to no enforcement of the remaining requirement. Functionally, this bill would repeal the motorcycle helmet requirement in Maryland.

**Any repeal of the comprehensive motorcycle helmet requirement is anti-thetical to public health and would make meeting our Vision Zero goals impossible.** Passed in 2019, Maryland's Vision Zero law sets a goal of zero vehicle-related deaths or serious injuries on state roadways by the year 2030—a mere 5 years from now. The State's Vision Zero program team has worked consistently and steadily toward this goal, employing research, evidence-based best practices, and effective communications. The General Assembly bears the obligation to support Vision Zero by adopting laws that will reduce motor vehicle injuries and fatalities. And since 2019 you have done so by tightening laws related to driving under the influence, adopting provisions to protect highway workers in construction zones, and enhancing requirements for infant safety seats, among other traffic safety laws. Indeed, just last year the General Assembly passed Senate Bill 730/House Bill 102, improving motorcycle safety by requiring footrests for motorcycle passengers. And you created the Vision Zero Advisory Committee through Senate Bill 354/House Bill 344 to provide expertise and support to the Vision Zero program. This demonstrates the General Assembly's commitment to Vision Zero's goal of reducing traffic-related injuries and deaths. Passing Senate Bill 397 would be damaging to Vision Zero goals and to public health.

States that repeal motorcycle helmet requirements suffer a four-fold increase in motorcycle fatalities. In states without motorcycle helmet requirements, operators are ten times more likely to suffer a traumatic brain injury. Increasing roadway injury and death is bad public policy and would undercut the State's Vision Zero goals.

With this testimony, I have submitted the following documents that provide data in support of Maryland's existing comprehensive motorcycle helmet law and clearly demonstrate that Senate Bill 397's repeal would be detrimental to public health:

- *The Human Cost of Allowing Unhelmeted Motorcycling in the United States*, Insurance Institute of Highway Safety (October 2024)
- *Motorcycle Crashes 360° Approach*, National Study Center for Trauma & EMS at the University of Maryland, Baltimore (2025)
- *Motorcycle Literature Review*, National Study Center for Trauma & EMS at University of Maryland, Baltimore (2025)

### **Conclusion**

Maryland takes seriously traffic safety; Vision Zero is proof of that. Repealing our motorcycle helmet requirement through Senate Bill 397 would make meeting our Vision Zero goals impossible and would result in more roadway death and serious injury. For these reasons, the Legal Resource Center for Public Health Policy requests an UNFAVORABLE report on Senate Bill 397.

*This testimony is submitted on behalf of the Legal Resource Center for Public Health Policy at the University of Maryland Carey School of Law and not by the School of Law, the University of Maryland, Baltimore, or the University of Maryland System.*