



2025 SESSION POSITION PAPER

BILL: SB 397 – Motorcycles – Protective Headgear Requirement – Exception (In Remembrance of Gary “Pappy” Boward)
COMMITTEE: Senate – Judicial Proceedings Committee
POSITION: Letter of Opposition
BILL ANALYSIS: SB 397 would establish an exception to the prohibition against operating or riding on a motorcycle without certain protective headgear for an individual at least 21 years of age who has been licensed to operate a motorcycle for at least 2 years or has completed a certain safety course and for the individual’s passenger.

POSITION RATIONALE: The Maryland Association of County Health Officers (MACHO) **strongly opposes SB 397**. For well over a decade, MACHO has testified in person or sent written opposition to efforts to repeal MD’s motorcycle helmet law. SB 397 is regressive and, if passed, will take us back to 1979, when the helmet law was repealed. Because of the repeal, deaths and injuries climbed, leading to reinstatement of the law in 1992. *This is one instance when maintaining the status quo is best for Maryland.*

Public health policies are steeped in science and data. The data from health and traffic safety experts in this area is **irrefutable**. The Centers for Disease Control (CDC)’s research has demonstrated that **helmets:**

- **reduce the risk of death by 37% and the risk of head injury by 69%**
- **do not reduce visibility or impair hearing**
- *save more than \$1 billion if all motorcyclists wore helmets*, each year in the U.S.

The **National Highway Traffic Safety Administration (NHTSA)** estimates that **protective headgear saved the lives of 1,872 motorcyclists in 2017**. If all motorcyclists had worn helmets, an additional 749 lives could have been saved, and in Maryland, helmets have **saved an additional 43 lives** in 2017. <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812683>

Maryland’s helmet law must remain a universal law, not a partial law. There is strong, substantial, and clear evidence that universal helmet laws save lives, prevent injury, and save money. This is not true for partial laws. Nationally, riders 30 years and older account for over 70% of all motorcycle fatalities. More riders over the age of 50 died in 2019 than riders under the age of 30. <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813112>

Non-helmeted riders injured in a crash have substantially higher healthcare costs than helmeted riders. When a rider is insured, these costs are passed on to others in the form of higher health insurance premiums. When the rider is uninsured, medical expenses may be paid for using taxpayers’ funds. According to the CDC, in 2013 motorcycle fatalities cost Maryland \$96M. **In 2017, motorcycle helmet use saved MD nearly \$100M in direct economic costs and over \$590M in comprehensive costs (economic plus valuation for lost quality of life).** If every motorcyclist had worn a helmet, comprehensive costs savings would have been an additional \$65M. <https://crashstats.nhtsa.dot.gov/Api/Public/Publication/812867>

Helmets are an effective, low cost, and non-intrusive way to prevent death and catastrophic injuries that affect many in our communities. When a non-helmeted motorcycle rider crashes and is injured, many are impacted and traumatized – not just the individual rider. This includes families who must now care for their loved one or say

goodbye, the EMTs who arrive on the scene, the nurses and doctors who treat and rehabilitate the patient; the employer who lost a good worker, the insurer who is paying the bills, and society who has lost a valuable member.

Maryland has a long history of supporting public health and public safety. This is accomplished by data-driven decision-making backed by science, facts, and subject matter experts. Some of the greatest improvements in health and life expectancy over the last 100+ years are due to the very measures enacted on behalf of public health.

Maryland has many public health laws and regulations to ensure safety while pursuing activities that are potentially dangerous and life-threatening. These include seatbelt laws, life vest laws, hunter wearing orange/pink laws, car seat laws, cell phone laws, and speeding laws. ***These laws are safety provisions that do not restrict the ability of an individual to participate in the desired activity.*** Now is not the time to change what is working for our communities.

For these reasons, the Maryland Association of County Health Officers **submits this letter of opposition for SB 397**. For more information, please contact Ruth Maiorana, MACHO Executive Director at rmaiora1@jhu.edu or 410-937-1433. *This communication reflects the position of MACHO.*