



ADVOCATES
FOR HIGHWAY
& AUTO SAFETY



EMERGENCY NURSES
ASSOCIATION



**Statement of Allison Kennedy, Director of Government Relations, Advocates for Highway and Auto Safety,
Lisa Tenney, BSN, RN, CEN, CPHRM, Chair, Government Affairs Committee,
Maryland State Council, Emergency Nurses Association,
Thomas Manion, President, Partnership for a Safer Maryland, and
Dan Petterson, Ed. D., President, Skilled Motorcyclist Association - Responsible, Trained and Educated
Riders, Inc. (SMARTER)
In Opposition to Senate Bill 745
Senate Judicial Proceedings Committee
Maryland General Assembly
March 15, 2022**

Good afternoon, my name is Allison Kennedy and I am the Director of Government Relations for Advocates for Highway and Auto Safety (Advocates). Advocates is a coalition of consumer, safety, public health, medical and law enforcement groups, and insurance companies and organizations working together to pass safety laws that reduce motor vehicle crashes, deaths, injuries and associated costs. I am submitting this statement jointly with Lisa Tenney, Chair of the Government Affairs Committee of the Maryland State Council, Emergency Nurses Association (MDENA), Thomas Manion, President of the Partnership for a Safer Maryland and Dan Petterson, Ed. D., President of the Skilled Motorcyclist Association – Responsible, Trained and Educated Riders, Inc. (SMARTER). The Emergency Nurses Association is the premier professional nursing association dedicated to defining the future of emergency nursing through advocacy, education, research, innovation, and leadership. The Partnership for a Safer Maryland advocates for injury and violence prevention by educating professionals in the field, advocating for legislation and policy, and facilitating collaboration among service and advocacy organizations throughout the state. SMARTER is a non-profit association of riders who support all-rider helmet laws. Thank you for the opportunity to provide testimony in opposition to Senate Bill (SB) 745, 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 30 years. To repeal the all-rider motorcycle helmet law would be a deadly and costly mistake.

Last month, the National Highway Traffic Safety Administration (NHTSA) released 2020 crash fatality and injury data which reveal fatal crashes across the country increased by nearly seven percent and reached the highest level in more than a decade. The data also show that dangerous driving behaviors including speeding and alcohol-impairment are on the rise – making the roadway environment even more deadly especially for vulnerable road users such as motorcycle riders. Overall fatalities in Maryland spiked six percent, with 567 people killed in 2020. Fatalities of motorcyclists in the state rose from 77 in 2019 to 85 in 2020, an increase of approximately 10 percent.ⁱ Not only do crashes impose a significant physical and emotional toll on Maryland families, but they also come with a substantial financial burden. Annually, crashes in Maryland impose an estimated \$5.8 billion in costs – essentially imposing a “crash tax” on each Marylander of nearly \$950.ⁱⁱ

Earlier this year, Advocates commissioned a public opinion poll which found nearly three-quarters of respondents were not aware that crashes on our nation’s roads are skyrocketing. Yet, overwhelming majorities still expressed they are “extremely” or “very” concerned about dangerous driving behaviors and scenarios including 68 percent when asked about speeding and 84 percent when asked about distracted driving. Moreover, two-thirds of respondents don’t think enough is being done to reduce dangerous behavior on our roadways. Removing basic safety protections, such as Maryland’s all-rider helmet law, would undoubtedly move safety in the wrong direction and be contrary to public opinion that more needs to be done.

Motorcycle helmets are proven lifesavers and injury preventers. According to a report by the Government Accountability Office (GAO), laws requiring all motorcyclists to wear helmets are the only strategy proven to be

effective in reducing motorcyclist fatalities.ⁱⁱⁱ 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.^{iv}

Motorcycle helmet use is critical because motorcycles are the most hazardous form of motor vehicle transportation. State laws requiring all riders to wear helmets are effective in achieving helmet use. Data released from NHTSA this month show that in states with all-rider helmet laws, use of U.S. DOT compliant helmets was 86 percent, compared to just 53 percent in states without such a law.^v Across the nation, there were nine times as many unhelmeted fatalities (1,670) in states without a universal law compared to the number of fatalities (192) in states with a universal helmet law in 2019 (NHTSA). In 2020 in Maryland, 16 percent of motorcyclist fatalities were unhelmeted when helmet use was known, whereas in neighboring Pennsylvania, without such a law, the number was higher at 57 percent.^{vi} Maryland's all-rider helmet requirement is working to ensure motorcycle helmet use. 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.^{vii}

Helmet use also reduces expenses to states, with Maryland saving nearly \$600 million in comprehensive costs associated with motorcycle crashes because of helmet use in 2017 alone (the latest year for which data is available). With 100 percent use, the state could have saved over \$65 million more. Considering the annual economic cost of motorcycle crashes in the nation is \$13 billion and the total amount of societal harm is \$66 billion (NHTSA), states should be taking action to improve, and certainly not weaken, motorcycle safety. When adjusted only for inflation, these amounts increase to \$16.9 billion and \$85.6 billion, respectively. Motorcycle helmets are currently preventing \$17 billion in societal harm costs annually, but another \$8 billion in harm costs could be prevented if all motorcycle riders wore helmets. When adjusted for inflation, these amounts increase to approximately \$22 billion and \$10 billion, respectively. Getting all motorcyclists to wear helmets is a prudent and fiscally responsible goal.

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, lifetime care for a traumatic brain injury can easily amount to millions of dollars, and considerably more if the person is young. 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 the bill to ostensibly alleviate the safety deficits of riding without a helmet, two years riding experience and passing a safety course, will not 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.

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.^{viii} Furthermore, "minors only" helmet laws, such as SB 745, are ineffective, unenforceable and unpopular. According to the American Academy of Pediatrics, in states with weak youth-specific helmet laws, use has decreased and youth mortality has 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.^{ix} 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.^x 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.

Repealing Maryland's all-rider motorcycle helmet law is contrary to the urgent need to improve motorcycle rider safety as well as the state's *Vision Zero* efforts. If SB 745 is passed, it will result in more deaths, injuries, anguish of crash victims' loved ones, as well as an increased financial burden on Maryland's emergency services, hospitals, Medicaid and ultimately, every Maryland taxpayer. **Advocates, MDENA, the Partnership for a Safer Maryland and SMARTER urge you to oppose SB 745.**

Thank you.

ⁱ NHTSA, *Overview of Motor Vehicle Crashes in 2020*, DOT HS 813 266, March 2022.

ⁱⁱ NHTSA, *The Economic and Societal Impact of Motor Vehicle Crashes, 2010*, adjusted for inflation, and U.S. Census Bureau 2020 data.

ⁱⁱⁱ U.S. Government Accountability Office, *Motorcycle Safety: Motorcycle Safety: Increasing Federal Funding Flexibility and Identifying Research Priorities Would Help Support States' Safety Efforts*. p. 16. Washington, November 2012.

^{iv} Auman et al., *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.

^v NHTSA, Traffic Safety Facts Research Note, *Motorcycle Helmet Use in 2021 – Overall Results*, DOT HS 813 270, March 2022.

^{vi} State Traffic Safety Info from the National Highway Traffic Safety Administration, <https://cdan.nhtsa.gov/stsi.htm>.

^{vii} AAA Foundation for Traffic Safety, *2017 Traffic Safety Culture Index*, March 2018.

^{viii} Flannagan CA, *Analysis of Motorcycle Crashes: Comparison of 2012 to Previous Years*, 18th Michigan Traffic Safety Summit, 2013.

^{ix} Weiss, H, Agimi Y, Steiner C, *Youth Motorcycle-Related Brain Injury by State Helmet Law Type: United States 2005-2007*, *Pediatrics*, Vol. 126, No. 6 (2010).

^x NHTSA, *Motorcycle Helmet Use Laws*, DOT HS 810 887W, 2008.