



ADVOCATES
FOR HIGHWAY
& AUTO SAFETY



February 28, 2022

The Honorable Sam Whitson, Chair
House Subcommittee on Transportation
Tennessee General Assembly
Cordell Hull Building
Nashville, Tennessee 37243

Dear Chairman Whitson:

Advocates for Highway and Auto Safety (Advocates) is an alliance of consumer, safety, law enforcement, medical and public health groups, and insurance companies working together to pass highway and auto safety laws that prevent unnecessary deaths and injuries. The Skilled Motorcyclist Association - Responsible, Trained and Educated Riders, Inc. (SMARTER) is a non-profit association of riders who support all-rider helmet laws. Our organizations urge you to oppose House Bill (HB) 903 and its companion Senate Bill (SB) 1536 that would repeal Tennessee's all-rider motorcycle helmet law. For nearly 55 years, this critical law has been preventing deaths and injuries and saving taxpayer dollars in Tennessee. To repeal the all-rider helmet law would be a deadly and costly mistake.

Motorcycles are the most hazardous form of motor vehicle transportation, and fatalities have been on the rise, more than doubling (4,985) since a low of 2,116 in 1997.ⁱ Per vehicle mile traveled, motorcycle riders were nearly 29 times more frequently killed than occupants of passenger cars in traffic crashes.ⁱⁱ Yet, helmet use is a proven and available countermeasure to save lives and reduce injuries. A 2012 Government Accountability Office (GAO) report concluded that "laws requiring all motorcyclists to wear helmets are the only strategy proven to be effective in reducing motorcyclist fatalities."

Motorcycle crashes are not only deadly and debilitating, but they are also costly. Annually, motorcycle crashes cost \$13 billion in economic impacts and \$66 billion in societal harm as measured by comprehensive costs based on 2010 data. When adjusted only for inflation, these amounts increase to \$16 billion and \$79 billion, respectively. Compared to other motor vehicle crashes, these costs are disproportionately caused by fatalities and serious injuries.ⁱⁱⁱ 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.^{iv} When adjusted only for inflation, these amounts increase to \$20.5 billion and \$9.66 billion, respectively. In states with an all-rider helmet law, use of a helmet resulted in economic costs saved to society of \$725 per registered motorcycle, compared with \$198 per registered motorcycle in states without such a law.^v Helmets are currently saving \$2.7 billion in economic costs annually.^{vi}

Helmet laws that limit requirements for use to younger riders, as HB 903/SB 1536 would enact for riders under age 26, are ineffective, unenforceable and unpopular. According to the American Academy of Pediatrics, in states with weak youth-specific helmet laws, helmet 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.^{vii} When Florida repealed its all-rider helmet law in 2000, fatalities jumped 21 percent after the law change (per 10,000 registered motorcycles). Deaths of riders under the age of 21 who were not helmeted increased 188 percent, even though the law still applied to them.^{viii} Enforcing laws for only young riders is highly problematic since it is nearly impossible for law enforcement to estimate a rider's age especially when travelling at higher speeds.

Furthermore, the addition of a requirement for health insurance in order to ride without a helmet fails to meet the safety benefit provided by a universal helmet law. Similar to identifying age, it will be impossible for law enforcement to recognize those riders who have insurance. The provision to reduce enforcement of the helmet law from primary to secondary will further complicate efforts to ensure helmet use.

The American public understands the importance of all-rider motorcycle helmet laws and overwhelmingly approves of them. Support for these laws has been enduring and consistent. The American Automobile Association (AAA) Foundation Traffic Safety Culture Index found that more than 4 in 5 Americans (82%) support a law requiring all motorcycle riders to wear a helmet.

Traffic fatalities spiked nearly 15 percent in Tennessee during the first nine months of 2021 compared to the same period in 2020, and 1,015 people lost their lives on state roads according to the National Highway Traffic Safety Administration (NHTSA). We urge you to take action to improve safety and to oppose the repeal of Tennessee's lifesaving universal motorcycle helmet requirement.

Sincerely,



Catherine Chase, President
Advocates for Highway and Auto Safety



Dan Petterson, Ed. D., President
SMARTER

cc: House Subcommittee on Transportation Members

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- ⁱ The Economic and Societal Impact of Motor Vehicle Crashes, 2010 (Revised), NHTSA, May 2015 (Revised), DOT HS 812 013, available at <http://www-nrd.nhtsa.dot.gov/Pubs/812013.pdf>, and *Traffic Safety Facts 2018: A Compilation of Motor Vehicle Crash Data*, NHTSA, Nov. 2020, DOT HS 812 981.
- ⁱⁱ Traffic Safety Facts. 2019 Data: Motorcycles, NHTSA, Sept. 2021, DOT HS 813 112.
- ⁱⁱⁱ The Economic and Societal Impact of Motor Vehicle Crashes, 2010 (Revised), NHTSA, May 2015 (revised), DOT HS 812 013.
- ^{iv} The Economic and Societal Impact of Motor Vehicle Crashes, 2010 (Revised), NHTSA, May 2015 (revised), DOT HS 812 013.
- ^v Centers for Disease Control and Prevention (CDC), *Helmet use Among Motorcyclists Who Died in Crashes and Economic Cost Savings Associated With State Motorcycle Helmet Laws – United States, 2008-2010*, MMWR Morb Mortal Wkly Rep, 61(23), 425-430, 2012.
- ^{vi} The Economic and Societal Impact of Motor Vehicle Crashes, 2010 (Revised), NHTSA, Nov. 2020, DOT HS 812 981.
- ^{vii} 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).
- ^{viii} NHTSA, 2008.