



January 23, 2023

The Honorable Suzanne Geist, Chair
Transportation and Telecommunications Committee
Nebraska Legislature
Post Office Box 94604
Lincoln, Nebraska 68509

Dear Chair Geist:

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 advance highway and auto safety laws proven to curb deaths and injuries on our roads. We urge you to oppose legislative bill (LB) 91, to repeal Nebraska's all-rider motorcycle helmet law. For more than 33 years, this critical law has been preventing deaths and injuries while saving taxpayer dollars in the state. Repealing Nebraska's all-rider helmet law would be a deadly and costly mistake.

Motorcycles are the most hazardous form of motor vehicle transportation and, across the nation, fatalities are on the rise; in 2021, 6,101 motorcycle riders were killed in crashes, the highest number of annual motorcycle rider fatalities on record since comprehensive crash data collection began in 1975.ⁱ New data finds that motorcycle rider fatalities rose again during the first nine months of 2022 by five percent.ⁱⁱ In the event of a crash, motorcycle riders are nearly 28 times more likely to die than occupants in passenger vehicles.ⁱⁱⁱ

In Nebraska, motor vehicle fatalities in the first three quarters of 2022 (January-September) were nearly 23 percent higher than during the same period in 2021.^{iv} A total of 30 motorcyclists lost their lives on Nebraska's roads last year, leaving behind families and communities saddled with the immense financial and emotional toll of these tragic crashes.^v Preventing future motorcycle rider fatalities requires the preservation of Nebraska's all-rider helmet law.

"Minors only" helmet laws, as LB 91 would enact, are ineffective, unenforceable and unpopular. According to the American Academy of Pediatrics, in states with weak youth-specific helmet laws, helmet use decreased and youth mortality increased. Serious traumatic brain injury among youths is 38 percent higher in states with age-specific laws compared to states with all-rider helmet laws.^{vi}

When Florida repealed its all-rider helmet law in 2000, rider death rates in the state increased by close to 25 percent.^{vii} Deaths of motorcycle riders under the age of 21 who were not helmeted increased by 188 percent, even though the law still applied to them.^{viii} In 2021, less than one percent of licensed Nebraska motorcycle riders were under the age of 21, making the proposed "minors only" helmet requirement applicable to an incredibly small population of motorcycle riders.^{ix} Additionally, enforcing laws for only young riders is highly problematic as it is nearly impossible for law enforcement to estimate a rider's age, especially when travelling at higher speeds.

Furthermore, the requirement in LB 91 for basic rider education and training and eye protection in order to ride without a helmet fails to meet the safety benefit provided by a universal helmet law. There is no scientific evidence that motorcycle rider training reduces crash risk or is an adequate substitute for an all-rider helmet law. In fact, motorcycle fatalities continued to increase even after a motorcycle education and training grant program included in federal legislation took

ⁱ Traffic Safety Facts: Early Estimates of Motor Vehicle Traffic Fatalities and Fatality Rate by Sub-Categories in 2021, NHTSA, May 2022, DOT HS 813 298.

ⁱⁱ National Center for Statistics and Analysis. (2022, December). *Early estimates of motor vehicle traffic fatalities and fatality rate by sub-categories through June 2022* (Crash•Stats Brief Statistical Summary. Report No. DOT HS 813 405). National Highway Traffic Safety Administration

ⁱⁱⁱ Traffic Safety Facts. 2020 Data: Motorcycles, NHTSA, May 2022, DOT HS 813 306.

^{iv} Traffic Safety Facts: Early Estimates of Motor Vehicle Traffic Fatalities and Fatality Rate by Sub-Categories in 2021, NHTSA, May 2022, DOT HS 813 298.

^v Nebraska Motorcycle Information Packet, Nebraska Department of Transportation, January 2023.

^{vi} Weiss, H., Ph.D., MPH, MS, Agimi, Y.I., MPH, and Steiner, C., MD, MPH, "Youth Motorcycle-Related Brain Injury by State Helmet Law Type: United States 2005-2007," Pediatrics, November 2010.

^{vii} Kyrychenko, S.Y. and McCart, A.T. "Florida's Weakened Motorcycle Helmet Law: Effects on Death Rates in Motorcycle Crashes," Traffic Injury Prevention, August 2006.

^{viii} Evaluation of the Repeal of the All-Rider Helmet Law in Florida, NHTSA, August 2005, DOT HS 809 849.

^{ix} Nebraska Motorcycle Information Packet, Nebraska Department of Transportation, January 2023.

effect in 2006. Similar to identifying age, it will be impossible for law enforcement to differentiate between motorcyclists who have or have not completed the required training course.

The Government Accountability Office (GAO) has concluded that “laws requiring all motorcyclists to wear helmets are the only strategy proven to be effective in reducing motorcyclist fatalities.” In the event of a crash, helmet-wearing reduces a motorcycle rider’s risk of head injury by 69 percent and risk of death by 42 percent.^x Moreover, the observed use rate of U.S. DOT-compliant helmet among motorcyclists is over 86 percent in states with all-rider helmet laws, compared to only 53 percent in states without such laws.^{xi} Simply put, all rider helmet laws save lives because they get motorcyclists to wear helmets.

Motorcycle rider crashes are not only deadly and damaging – they are extremely expensive. In 2020, the most recent year for which data is available, the cost of motorcycle crashes in Nebraska was projected to surpass \$687 million.^{xii} A significant cause of this ballooning cost is the medical care of crash victims, which is even more costly when motorcycle helmets are not worn. The injuries sustained by unhelmeted motorcyclists are often more severe than those sustained by helmeted motorcyclists. As such, medical costs associated with caring for unhelmeted motorcyclists are significantly higher. A 2002 review of 25 studies of the costs of injuries from motorcycle crashes reported that helmet use reduced the cost of medical treatment, length of hospital stay and probability of long-term disability for motorcyclists injured in a crash.^{xiii} 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.^{xiv}

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 motorcyclists to wear a helmet.^{xv} These national results are consistent with beliefs in Nebraska; an October 2022 survey of 8,000 Nebraskans revealed that 81 percent support Nebraska’s law requiring motorcycle helmets.^{xvi}

On December 6, 2022, Advocates released its 2023 *Roadmap to Safety* (Roadmap Report); a copy follows this letter. Unfortunately, Nebraska has again received the lowest rating in the Roadmap Report, “red” for lacking 12 of 16 optimal laws recommended to improve traffic safety. With motor vehicle fatalities rising and crash-related costs soaring, we ask you to retain this proven solution to protect motorcycle riders and oppose LB 91.

Sincerely,



Catherine Chase
President

cc: Transportation and Telecommunications Committee Members

^x Liu BC, Ivers R, Norton R, Boufous S, Blows S, and Lo SK, “Helmets for Preventing Injury in Motorcycle Riders (Review),” The Cochrane Library, 2009.

^{xi} Traffic Safety Facts, Research Note: Motorcycle Helmet Use in 2021 – Overall Results, NHTSA, March 2022, DOT HS 813 270

^{xii} Nebraska Motorcycle Information Packet, Nebraska Department of Transportation, January 2023.

^{xiii} Costs of Injuries Resulting from Motorcycle Crashes: A Literature Review, NHTSA, November 2002, DOT HS 809 242.

^{xiv} Helmet use Among Motorcyclists Who Died in Crashes and Economic Cost Savings Associated with State Motorcycle Helmet Laws – United States, Centers for Disease Control and Prevention, 2012.

^{xv} 2017 Traffic Safety Culture Index, Foundation for Traffic Safety, March 2018.

^{xvi} Nebraska Motorcycle Information Packet, Nebraska Department of Transportation, January 2023.