



ADVOCATES  
FOR HIGHWAY  
& AUTO SAFETY



Maryland State Council



**Statement of Omar Masood, Director of State Government Relations, Advocates for Highway and Auto Safety;**

**Lisa Tenney, BSN, RN, CEN, CPHRM, FAEN, Chair, Government Affairs, Maryland State Council  
Emergency Nurses Association;**

**Xu Simon, Ph.D., President and CEO, Skilled Motorcyclist Association - Responsible, Trained and Educated  
Riders, Inc. (SMARTER)**

**UNFAVORABLE: In Opposition to Senate Bill 397**

**Senate Judicial Proceedings Committee**

**Maryland General Assembly**

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Advocates for Highway and Auto Safety (Advocates) is an alliance of consumer, safety, medical, public health and law enforcement groups and insurance companies working together to pass highway and auto safety laws that prevent crashes, save lives, reduce injuries, and contain costs. The Emergency Nurses Association (ENA) is the premier professional nursing association dedicated to defining the future of emergency nursing through advocacy, education, research, innovation, and leadership. The Skilled Motorcyclist Association - Responsible, Trained and Educated Riders, Inc. (SMARTER) is a non-profit association of riders who support all-rider helmet use laws. Our organizations thank you for the opportunity to provide testimony jointly in opposition to Senate Bill (SB) 397, legislation that would repeal Maryland's all-rider motorcycle helmet use law. This critical safety law has been preventing deaths and injuries and saving taxpayer dollars in Maryland for nearly 33 years. To repeal the all-rider motorcycle helmet use law would be a deadly and costly mistake.

**Motor Vehicle Crash Fatalities Remain Historically High, Including Riders of Motorcycles, the Most Hazardous Form of Motor Vehicle Transportation.<sup>i</sup>**

In 2022, 6,218 motorcyclists were killed in the U.S., the highest number of fatalities on record.<sup>ii</sup> An additional 82,687 motorcyclists were injured in the same year.<sup>iii</sup> Early estimates for 2023 indicate a 2 percent increase in motorcyclist fatalities over 2022.<sup>iv</sup> Motorcycle riders are nearly 28 times more likely to die in a crash than passenger vehicle occupants.<sup>v</sup> Data show that dangerous driving behaviors, including speeding, alcohol-impairment and driver distraction, continue to contribute to deadly outcomes, especially for vulnerable road users (VRU), including motorcycle riders, who lack the protective structure of a passenger vehicle.

Traffic safety is a serious issue that requires improvement rather than the dismantling of the state's all-rider motorcycle helmet use law, a proven traffic safety countermeasure. Over the five-year period of 2019 to 2023, an average of 77 fatal crashes and 936 injury crashes involving a person riding a motorcycle occurred each year in Maryland.<sup>vi</sup> On Maryland roadways, 80 motorcyclists lost their lives in 2023 while crash impacts on motorcycle riders exceeded the five-year average in both fatalities and injuries.<sup>vii</sup> Overall traffic fatalities in the state rose 40 percent over the ten-year period 2014-2023.<sup>viii</sup>

**Motorcycle Helmet Use, Bolstered by All-Rider Helmet Laws, is a Proven Lifesaver.**

Research affirms motorcycle helmet use saves lives and prevents injuries. According to a report by the U.S. Government Accountability Office (GAO), laws requiring all motorcyclists to wear helmets are the only strategy proven to be effective in reducing motorcyclist fatalities.<sup>ix</sup> Motorcycle helmet use reduces the risk of head injury by 69 percent and reduce the risk of death by 42 percent.<sup>x</sup> The National Highway Traffic Safety Administration (NHTSA) estimates that helmet use saved the lives of 1,872 motorcycle riders in 2017 (the latest year data is available) and that 749 more lives in all states could have been saved if all motorcycle riders had worn helmets.<sup>xi</sup> 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.<sup>xii</sup>

State laws requiring all riders to wear helmets are extremely effective in achieving helmet use. Data released from the NHTSA show that in states with all-rider helmet use laws, use of helmets compliant with federal standards is 83

percent, compared to just 66 percent in states without such a law.<sup>xiii</sup> According to NHTSA, in 2022, there were 7.7 times as many unhelmeted fatalities (1,986 fatalities) in states without a universal helmet use law compared to states with a universal helmet law (258 fatalities).<sup>xiv</sup> These states were similar with respect to total resident populations.<sup>xv</sup> A recent analysis from the Insurance Institute for Highway Safety (IIHS) calculated that between 1976 and 2022, over 22,000 additional lives could have been saved if all states had enacted all-rider motorcycle helmet laws.<sup>xvi</sup> The data are clear – Maryland’s all-rider helmet requirement is working to ensure motorcycle helmet use and the safety of motorcycle riders.

### **Motor Vehicle Crashes, Especially Involving Motorcycles, are Costly to All Marylanders. Helmet Use Reduces Preventable Expenditures.**

Traffic crashes impose a physical, emotional, and financial toll on Maryland families. In 2019, the cost of crashes in Maryland surpassed \$5.9 billion – essentially resulting in a “crash tax” on each Marylander of \$977.<sup>xvii</sup> When updated for inflation alone, in 2024, costs would equate to \$7.4 billion to the state and \$1,225 per resident respectively.<sup>xviii</sup>

Annually, motorcycle rider crashes cost nearly \$17 billion in economic impacts and \$107 billion in societal harm as measured by comprehensive costs based on 2019 data.<sup>xix</sup> Accounting for inflation alone, in 2024, this would equate to over \$21 billion in economic impacts, and over \$131 billion in societal harm.<sup>xx</sup> Serious injuries and fatalities accounted for 83 percent of total comprehensive costs of motorcyclist crashes, compared to 60 percent of the total comprehensive costs of all motor vehicle crashes.<sup>xxi</sup> Traumatic brain injury is a serious, potentially life-long injury that can result from a motorcyclist crash, especially when the rider is not wearing a helmet. In addition to changes in social, cognitive and physical ability, costs for lifetime care for a traumatic brain injury can easily amount to millions of dollars.

Conversely, in 2019, motorcycle helmet use prevented \$21.2 billion in societal harm costs, but another \$9.4 billion could have been prevented if all motorcycle riders had worn helmets.<sup>xxii</sup> Updating for inflation only, in 2024 this would equate to \$26 billion in societal harm prevented and over \$11.5 billion if all riders had worn helmets.<sup>xxiii</sup> 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 SB 397 to ostensibly alleviate the risks posed by riders and their passengers riding without a helmet, specifying the exception is for those age 21 and older, mandating two years riding experience and passing a safety course, fail to mitigate the severe and serious damages that will be caused by repealing the state’s all-rider motorcycle helmet use 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. Such a law is also unenforceable for reasons addressed below.

### **All Rider Motorcycle Helmet Use Law Repeals Have Resulted in Increased Deaths, Injuries and Associated Costs.**

Experience and data have proven that states which repeal an all-rider motorcycle helmet use 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 use mandate was still in place that year, according to the University of Michigan Transportation Research Institute.<sup>xxiv</sup> Time has only exacerbated the problem as motorcyclist deaths were 64 percent higher in 2022 compared to 2011.<sup>xxv xxvi</sup> Missouri experienced similar results after repealing its all-rider helmet use law. Helmetless motorcycle rider deaths increased a staggering 567 percent from 2019, the last year the all-rider law was in effect, to 2021, the first full year without the law.<sup>xxvii</sup>

Furthermore, “minors only” helmet laws, such as SB 397 seeks to enact, are ineffective, unenforceable, and unpopular. According to the American Academy of Pediatrics, in states with weak youth-specific helmet laws, use decreased, and youth mortality increased. Serious traumatic brain injury among youth was 38 percent higher in states with age-specific laws compared to states with all-rider helmet use laws.<sup>xxviii</sup> After Florida repealed its all-rider helmet use 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.<sup>xxix</sup> 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. It is also impossible to determine training or length of experience operating a motorcycle in such circumstances.

### **The Public is Concerned about Roadway Safety and Supports All-Rider Helmet Laws.**

A public opinion poll commissioned by Advocates found that overwhelming majorities of respondents were “extremely” or “very” concerned about dangerous driving behaviors and scenarios.<sup>xxx</sup> Two-thirds of poll respondents indicated that they do not think enough is being done to reduce dangerous behavior on our roadways.<sup>xxxi</sup> 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 percent) support a law requiring all motorcycle riders to wear a helmet.<sup>xxxii</sup> Removing basic safety protections, including Maryland's all-rider helmet law, runs contrary to public opinion.

If SB 397 is passed, it will result in more deaths, injuries, and an increased financial burden on Maryland's emergency services and hospitals and ultimately, every Maryland taxpayer. **Advocates, ENA Maryland State Council, and SMARTER urge you to oppose SB 397.** Thank you.

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- ix Motorcycle Safety: Increasing Federal Funding Flexibility and Identifying Research Priorities Would Help Support States' Safety Efforts, U.S. Government Accountability Office (GAO), November 2012, available at: <https://www.gao.gov/products/gao-13-42>
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