



Motorcycle Riders Foundation

P.O. Box 250, Highland, IL 62249

(202) 546-0983 / mrfoffice@mrf.org / www.mrf.org

Bill: SB 712 - Vehicle Laws- Protective Headgear Requirement for Motorcycle Riders- Exception

Position: SUPPORT

Committee: Senate Judicial Proceedings

February 23, 2021

Chairman William C. Smith and members of the committee,

On behalf of the Motorcycle Riders Foundation (MRF), thank you for the opportunity to share our views on the proposed law regarding motorcycle headgear. We support Senate Bill 712 and applaud the efforts of its cosponsors to address this issue.

The MRF is a national organization focused on providing leadership at the federal level for state motorcyclists' rights organizations, motorcycle clubs, and individual riders. The MRF is concerned with national and international issues that impact the freedom and safety of American street motorcyclists, while also supporting the efforts of our state partners. We are committed to being national advocates for advancing motorcycling and its accompanying lifestyle and work in conjunction with a variety of partners to help educate elected officials and policymakers.

Motorcycling is something enjoyed by over 8.6 million Americans and more than 118,000 Marylanders. With our network of about 250,000 motorcyclists nationally, and on behalf of our members in Maryland, we support SB 712 because it recognizes that motorcyclists who have experience and appropriate training have a right to choose for themselves whether they want to wear a helmet.

SB 712 would exempt, from the requirement to wear specified protective headgear while operating or riding on a motorcycle, an individual age 21 or older who (1) has been licensed to operate a motorcycle for at least two years; (2) has completed an approved motorcycle rider safety course; or (3) is a passenger on a motorcycle operated by a rider who meets either of these criteria. In placing limits on who can operate without a helmet, SB 712 protects less-experienced motorcyclists while allowing personal choice.



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Passage of SB 712 would demonstrate two key principles the MRF strongly believes in, personal freedom and emphasizing crash avoidance over creating safer crashes.

In our country, we tout our ability to choose. We can choose where we live, how to educate our children, and whatever affiliations we like. Wearing a helmet is a similar choice that ought to be made by the individual, not the state. The MRF has long believed that those who ride should decide whether to wear a helmet or not. This bastion of personal freedom and protection of liberties is in keeping with our nation's founding. Taking this choice from the hands of the individual is the state telling motorcyclists that it knows best and substituting its judgment for that of motorcyclists

By focusing on education, rather than on government mandates, SB 712 promotes learning how to safely operate a motorcycle, rather than punitive action against those that desire not to wear a specific piece of apparel. In doing so, motorcyclists can gain information about riding gear, techniques, and strategies that will allow them to make informed decisions regarding which safety measures they deem most appropriate. Additionally, motorcycle education helps affirm crash avoidance over creating safer crashes. We should strive to reduce crashes, as a crash that doesn't happen obviously results in no injuries.

The statistics regarding the effectiveness of state helmet laws are ambiguous at best. A 2014 National Highway Traffic Safety Administration (NHTSA) report showed that in crash study data, where helmet use was known, 39% of motorcyclists killed were not wearing a helmet. Conversely 61% of motorcycle fatalities involved a rider wearing a helmet. These numbers closely mirror NHTSA data on overall helmet usage which shows 64% vs 36% helmet usage amongst riders in 2014.

Interestingly, a 2017 NHTSA study showed that the state with the highest motorcycle fatality rate (Mississippi) has a mandatory helmet law, while the state with the lowest fatality rate (Montana) does not require a helmet for those over 18 years old.

It's important to remember that the absence of a requirement does not prohibit someone from choosing to wear a helmet. In fact, a 2019 U.S. Department of Transportation audit showed that states without mandatory helmet laws still saw 56.5% of riders choose to wear a helmet. Passage



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of SB 712 wouldn't force any Marylander to ride without a helmet, it would only allow each rider to decide for themselves.

For these reasons, MRF respectfully requests a favorable vote on SB 712.

Should you have any questions, feel free to contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jay Jackson', with a long horizontal flourish extending to the right.

Jay Jackson

Vice President

Motorcycle Riders Foundation

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Jay@mrf.org / www.mrf.org