

Disability Rights Nebraska

Protection and Advocacy for People with Disabilities

May 9, 2019

Dear Senators:

Disability Rights Nebraska is the designated Protection and Advocacy organization for people with disabilities in Nebraska. Given the significant risks of relaxing universal mandatory helmet laws for motorcyclists, we strongly oppose LB 378.

Unequivocally, LB 378 is bad public policy. If passed it would reverse decades of low injury and fatality rates for Nebraska's motorcyclists. The research and empirical data demonstrate with an overwhelming preponderance of the evidence that brain injuries and fatalities increase when helmet laws are relaxed or repealed.

The National Highway and Traffic Safety Administration (NHTSA) [estimates](#) that helmets saved 1,630 motorcyclists' lives in 2013, and that 715 more could have been saved if all motorcyclists had worn helmets. In states without universal helmet laws, 59% of motorcyclists killed in 2013 were not wearing helmets, as compared to 8% in States with universal helmet laws.

The University of Michigan's Transportation Research Institute analyzed Michigan crash data and [estimated](#) there would have been 26 fewer motorcycle crash deaths in 2012 - a 21% reduction - had their helmet mandate remained in place.

An Insurance Institute for Highway Safety study of motorcycle fatalities in Florida, which modified its helmet law in 2000 to exempt riders 21 and older with at least \$10,000 of medical coverage, [found](#) that the motorcyclist death rate rose 25% after the change, leading to an estimated 117 additional deaths in the first two years. Hospital admissions of motorcyclists with head injuries increased 82% in the 30 months after Florida changed its helmet law.

Helmets, while not a panacea for every motorcycle accident, play an important role in [preventing](#) significant debilitating injuries and fatalities: "Weakening the helmet law seems to have made it somewhat more likely that riders will sustain injuries, but the big impact has been on the seriousness of the injuries ...Helmets can't protect against all injuries, but they do help prevent debilitating and often fatal head trauma." [Research](#) done [nationally](#) and in [Florida](#), [Arkansas](#), [Kentucky](#), and [Louisiana](#) is clear: it consistently shows both motorcyclist fatalities and head injuries increased shortly after those states enacted legislation to weaken or repeal helmet laws. A continued rise in fatalities and injuries forced Louisiana to **reinstate** their universal helmet law in 2004, with declines in fatalities and injuries since. Data from Oregon, Washington, California, and Maryland show significant decreases in fatalities and injuries resulting from their respective [helmet laws](#).

Michigan has seen an [increase](#) in injuries, fatalities, and medical expenses after rolling back their universal helmet law:

"The numbers underscore what law-enforcement and medical data have shown for years - that riders without helmets are more likely to die or suffer serious injuries in a crash than riders who wear helmets.... helmetless riders accounted for nearly one-half of motorcycle fatalities in 2013, 59 of 128 deaths.

A longer-term study of crash and injury data by the University of Michigan Transportation Research Institute found that reduced helmet use accounted for approximately 24 more deaths and 71 more serious injuries a year in Michigan.

The study looked at 15,000 crashes from 2009 through 2013, and calculated that the risk of fatality is 2.8 times higher for riders not wearing a helmet, while the risk of serious injury is 1.4 times higher, largely echoing studies in other states.

'Non-helmeted motorcyclists more frequently died on the scene, spent more time in the intensive care unit, required longer ventilator support, and had higher medical costs,' concluded a third study, by Spectrum Health Butterworth Hospital in Grand Rapids.

The hospital study, of 192 injured motorcyclists, noted that medical expenses for injured helmetless riders averaged \$32,700, compared with \$21,300 for those wearing helmets."

The Governor's Highway Safety Association [reports](#) in 2013 that helmets are by far the single most effective strategy to prevent motorcyclist fatalities and serious injuries in a crash. NHTSA estimates that helmets saved the lives of 1,617 motorcyclists in 2011. If all motorcyclists had worn helmets, an additional 703 lives could have been saved.

Disability Rights Nebraska urges that LB 378 not be advanced.

Sincerely,

Bradley A. Meurrens
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Disability Rights Nebraska