



March 13, 2017

Dear Senators:

Disability Rights Nebraska urges that LB 368 not be advanced.

Unequivocally, relaxing or repealing Nebraska's helmet law 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with a preponderance of the evidence that brain injuries and fatalities increase when helmet laws are relaxed or repealed.

The National Highway and Traffic Safety Administration estimates that helmets saved 1,630 motorcyclists' lives in 2013, and that 715 more could have been saved if all motorcyclists had worn helmets.<sup>1</sup> In states without universal helmet laws, 59 percent of motorcyclists killed in 2013 were not wearing helmets, as compared to 8 percent 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 - a 21 percent reduction - last year [2012] had the helmet mandate remained in place.<sup>2</sup>

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 percent after the change, leading to an estimated 117 additional deaths in the first two years. National Highway and Traffic Safety Administration also studied the change in Florida, and found that hospital admissions of motorcyclists with head injuries increased 82 percent in the 30 months afterward.<sup>3</sup>

David Zuby, chief research officer of Highway Loss Data Institute and Insurance Institute for Highway Safety reports that 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

---

<sup>1</sup> <http://www-nrd.nhtsa.dot.gov/Pubs/812148.pdf>

<sup>2</sup> <http://www.iihs.org/iihs/sr/statusreport/article/48/4/1>

<sup>3</sup> Ibid.

134 South 13<sup>th</sup> Street, Suite 600 Lincoln, Nebraska 68508  
402-474-3183 fax: 402-474-3274

1425 1<sup>st</sup> Avenue Scottsbluff, NE 69363  
Office: 308-633-1352 Cell: 308-631-5367

TDD Available 1-800-422-6691  
[www.disabilityrightsnebraska.org](http://www.disabilityrightsnebraska.org)  
The Protection and Advocacy System in Nebraska

injuries...Helmets can't protect against all injuries, but they do help prevent debilitating and often fatal head trauma."<sup>4</sup>

Studies done nationally<sup>5</sup> and in Florida<sup>6</sup>, Arkansas<sup>7</sup>, Texas, Kentucky<sup>8</sup>, and Louisiana<sup>9</sup>, 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. The National Highway and Traffic Safety Administration reports that data from Oregon, Washington, California, and Maryland show significant decreases in fatalities and injuries resulting from their respective helmet laws<sup>10</sup>. Florida hospital discharge data shows that in the 30 months immediately following their helmet law change, head injury admissions increased by more than 80 percent.

Michigan has seen an increase in injuries, fatalities, and medical expenses after their roll-back of their universal helmet law<sup>11</sup>:

"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.

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

'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 Governors Highway Safety Association reports in 2013<sup>12</sup> that helmets are by far the single most effective strategy to prevent motorcyclist fatalities and serious injuries in a

---

<sup>4</sup> <http://www.iihs.org/iihs/news/desktopnews/michigans-weakened-helmet-use-law-leads-to-costlier-injury-claims>

<sup>5</sup> <http://www.sciencedaily.com/releases/2008/03/080331172511.htm> and <http://www.nts.gov/recs/letters/2007/h0739.pdf>

<sup>6</sup> <https://one.nhtsa.gov/people/injury/pedbimot/motorcycle/flamcreport/pages/index.htm>

<sup>7</sup> <http://msf-usa.org/downloads/imsc2001/Cosgrove.pdf>

<sup>8</sup> <https://one.nhtsa.gov/people/injury/pedbimot/motorcycle/kentucky-la03/TechSumm.html>

<sup>9</sup> Ibid.

<sup>10</sup> <https://icsw.nhtsa.gov/people/injury/TSFLaws/PDFs/810726W.pdf>

<sup>11</sup> <http://www.bridgemi.com/public-sector/higher-death-rates-medical-bills-michigan-motorcyclists-without-helmets>

<sup>12</sup> <http://www.ghsa.org/sites/default/files/2016-11/Final%20Motorcycle%20Spotlight2013.pdf>

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.

Sincerely,

Bradley A. Meurrens  
Public Policy Director  
Disability Rights Nebraska