



April 1, 2024

The Honorable Patrick Connick, Chairman
 The Honorable Gary M. Carter Jr., Vice Chair
 Senate Transportation, Highways & Public Works Committee
 Louisiana State Senate
 900 North 3rd Street
 Baton Rouge, Louisiana 70804

Dear Chairman Connick and Vice Chair Carter:

As representatives of leading public health and safety organizations and allied organizations working to pass roadway and auto safety laws that prevent unnecessary deaths and injuries and contain crash costs, we urge you to oppose House Bill (HB) 317, which would repeal the all-rider motorcycle helmet law. Doing so would be a deadly and costly mistake.

Motorcycles are the most hazardous form of motor vehicle transportation, and fatalities are rising. In 2021, 5,932 motorcyclists were killed in the U.S., the most on record.ⁱ Estimates for 2022 indicate a five percent increase.ⁱⁱ Motorcycle riders are nearly 28 times more likely to die in a crash than people in passenger vehicles.ⁱⁱⁱ In 2021, 83 motorcyclists lost their lives on Louisiana roads.^{iv}

In addition to the physical and emotional burden, traffic crashes exact a financial toll. In 2019, the estimated cost of traffic crashes in Louisiana was \$6.6 billion, effectively imposing a \$1,413 “crash tax” on each resident and significantly higher than the national average of \$1,035.^v Annually, U.S. motorcyclist crashes cause nearly \$17 billion in economic impacts and \$107 billion in societal harm as measured by comprehensive costs based on 2019 data.^{vi} Serious injuries and fatalities accounted for 83 percent of total comprehensive costs of motorcyclist crashes, compared to 60 percent for all motor vehicle crashes.^{vii}

Conversely, motorcycle helmets prevented \$21.2 billion in societal harm costs. However, another \$9.4 billion could have been saved if all riders had worn helmets in 2019.^{viii} Helmets reduce the cost of medical treatment, length of hospital stay and probability of long-term disability for motorcyclists injured in a crash.^{ix} In states with an all-rider motorcycle 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.^x

Louisiana has repealed its all-rider helmet law in the past only to reverse course a few years later due to sharp declines in helmet use. A National Highway Traffic Safety Administration (NHTSA) study found that helmet use in motorcyclist crashes from 1999-2003, when the law applied only to minors and those without requisite medical insurance, was only 42 percent.^{xi} Helmet use more than doubled to 87 percent after the all-rider helmet law was reinstated in 2004.^{xii} Additionally, fatalities were 30 percent less likely and fatal/severe crashes decreased 46 percent.^{xiii} To contextualize this rapid reduction in motorcyclist fatalities in Louisiana, it is important to note that no other nearby state recorded a similar decrease.^{xiv}

Other states that repealed all-rider helmet laws experienced similarly negative results. 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 mandate was still in place that year, according to the University of Michigan Transportation Research Institute.^{xv} Time has only exacerbated the problem as motorcyclist deaths were 60 percent higher in 2021 compared to 2011.^{xvi} ^{xvii} Missouri experienced similar results after repealing its all-rider helmet law. Helmetless motorcyclist 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.^{xviii}

The provisions in HB 317 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 passing a safety course and requiring certain insurance coverage, fail to mitigate the severe and serious damages that will be caused by repealing the state’s all-rider motorcycle helmet 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.

Additionally, “minors only” helmet laws, such as HB 317 seeks to enact, are ineffective and unenforceable. 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 laws.^{xix} After Florida repealed its all-rider helmet law in 2000, the fatality rate 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.^{xx} 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 in such circumstances.

Further, HB 317 specifies that the law be weakened from primary enforcement to secondary enforcement. Secondary enforcement of traffic safety laws is shown to be not as effective as primary enforcement and inserts uncertainty into the process of traffic safety law enforcement. In order to enforce the helmet requirement, a police officer would be required to observe an additional violation, such as speeding, in order to enforce the helmet law.

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.^{xxi} Helmets are vital as they reduce the risk of head injury by 69 percent and risk of death by 42 percent.^{xxii} Data from NHTSA show that in states with all-rider helmet laws, use of helmets compliant with federal standards is 86 percent, compared to just 53 percent in states without such a law.^{xxiii} In 2021, there were 9.6 times as many unhelmeted fatalities (2,038 fatalities) in states without a universal helmet law compared to states with a universal helmet law (213 fatalities).^{xxiv} These states were similar in total populations.^{xxv}

With motorcyclist fatalities at record levels, we urge you to reject HB 317 and prioritize safety. Thank you for your time and consideration.

Sincerely,

Advocates for Highway and Auto Safety
American Family Insurance
Amica Mutual Insurance Company
Center for Auto Safety
Consumer Federation of America
Emergency Nurses Association
Families for Safe Streets
Joan Claybrook, President Emeritus, Public Citizen and Former NHTSA Administrator
Liberty Mutual Insurance
Louisiana State Council of the Emergency Nurses Association
National Association of Mutual Insurance Companies (NAMIC)
National Safety Council
Nationwide Mutual Insurance Company
Society for Advancement of Violence and Injury Research
Skilled Motorcyclist Association—Responsible, Trained, and Educated Riders, Inc. (SMARTER)
State Farm Insurance Companies
Trauma Foundation
Whirlwind Wheelchair International

ⁱ Traffic Safety Facts: 2021 Data, Motorcycles, NHTSA, Jun. 2023 (Revised), DOT HS 813 466, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813466>.

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} NHTSA State Traffic Safety Information for Louisiana, accessible at <https://cdan.dot.gov/stsi.htm>.

v The Economic and Societal Impact of Motor Vehicle Crashes, 2019 (Revised), National Highway Traffic Safety Administration (NHTSA), February 2023, DOT HS 813 403, available at: <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>.

vi *Ibid.*

vii *Ibid.*

viii *Ibid.*

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

x 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, available at <https://pubmed.ncbi.nlm.nih.gov/22695381/>.

xi Evaluation of the Reinstatement of the Helmet Law in Louisiana, National Highway Traffic Safety Administration, May 2008, DOT HS 810 956, available at https://smarter-usa.org/wp-content/uploads/2017/06/13_2008_Evaluation_of_the_R.pdf.

xii *Ibid.*

xiii *Ibid.*

xiv *Ibid.*

xv Analysis of Motorcycle Crashes: Comparison of 2012 to Previous Years, 18th Michigan Traffic Safety Summit, 2013.

xvi NHTSA State Traffic Safety Information for Michigan, accessible at <https://cdan.dot.gov/stsi.htm>.

xvii “Michigan traffic deaths fall 5 percent in 2011”. New Haven Register. (2012, April 20), available at: <https://www.nhregister.com/news/article/Michigan-traffic-deaths-fall-5-percent-in-2011-11520391.php>.

xviii State Traffic Safety Information for Missouri (2021), NHTSA, available at <https://cdan.dot.gov/stsi.htm>.

xix Youth Motorcycle-Related Brain Injury by State Helmet Law Type: United States 2005-2007, Pediatrics, Vol. 126, No. 6, 2010.

xx Traffic Safety Facts: Motorcycle Helmet Use Laws, National Highway Traffic Safety Administration (NHTSA), January 2008, DOT HS 810 887W, available at: <https://www.nhtsa.gov/sites/nhtsa.gov/files/810887.pdf>.

xxi 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>.

xxii 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.

xxiii Traffic Safety Facts Research Note, Motorcycle Helmet Use in 2021 – Overall Results, National Highway Traffic Safety Administration (NHTSA), March 2022, DOT HS 813 270, available at: <https://crashstats.nhtsa.dot.gov/Api/Public/Publication/813270>.

xxiv Traffic Safety Facts 2021 Data: Motorcycles, National Highway Traffic Safety Administration NHTSA, June 2023, DOT HS 813 466, available at: <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813466>; 2020 Population and Housing State Data, US Census Bureau, August 2021, available at <https://www.census.gov/library/visualizations/interactive/2020-population-and-housing-state-data.html>.

xxv 2020 Population and Housing State Data, US Census Bureau, available at <https://www.census.gov/library/visualizations/interactive/2020-population-and-housing-state-data.html>.