

The meeting was called to order at 1:30 p.m. in Room 323 in the Legislative Building.

Senator Blakemore in the Chair.

PRESENT: Senator Richard Blakemore, Chairman
Senator Wilbur Faiss, Vice Chairman
Senator William Hernstadt
Senator Lawrence Jacobsen
Senator Clifford McCorkle
Senator Joe Neal

ABSENT: Senator Keith Ashworth

OTHERS

PRESENT: Senator Jim Kosinski
Assemblyman Lloyd Mann
Assemblyman Harley Harmon
Bob Gaston, Nevada State P.T.A.
Maynard Yasmer, Rehabilitation Division
Keith Henrikson, UMRON, NACM and NMFDA
Fred Harrell, Motorcycle Dealers Association of Nevada
Mike Hoy, Governor's Youth Traffic Safety Association
Helen Amorosa
John Borda, Director, Office of Traffic Safety
Mr. and Mrs. Wally Kurtz and Darrel Taylor, Nevada P.T.A.
Barbara Bailey, Nevada Trial Lawyers
Kent Robison, Nevada Trail Lawyers
Bart Jacka, Director, Department of Motor Vehicles
W.E. Hancock, Public Works Board
Tom Wadding, Disabled American Veterans, Carson City
James Fleckenstein, Disabled American Veterans, Carson City
Kenneth Golden, Disabled American Veterans, Reno
Dorothy Golden, Disabled American Veterans, Reno
Ray Crosby, Disabled American Veterans
Dana Greenleaf, Disabled American Veterans
Irv Lewis, U.M.R.O.N.
F. Araiza, U.M.R.O.N.
K. Marshall, U.M.R.O.N.
Richard Garrod, Farmers Group Insurance
Virgil Anderson, American Automobile Association
Kay Lockhart, Nevada Independent Insurance Agents
Sam Marber, Sabres Motorcycle Club
Sam Mamet, Clark County
Dan Norby, President, U.M.R.O.N.
Michael Hoover, Washoe Medical Center
Dennis Tatum, Office of Traffic Safety
Gary Johnson
Jim Sallee

The Committee heard testimony on the following bills:

S.B. 200 PROVIDES FOR EXTENSION OF PARKING SPACES FOR USE ONLY BY HANDICAPPED AND AUTHORIZES ENFORCEMENT.

Senator Kosinski spoke on S.B. 200. He said this bill is directed toward the problem of accessibility of the physically handicapped to buildings and facilities. Part of the bill is mandatory in that it requires cities and counties to establish reasonable numbers of parking spaces that are designated for the handicapped adjacent to a public or private building to which the public is invited. Another part of the bill is permissive in that it permits cities and counties to adopt ordinances which would prohibit persons from parking in these designated spaces unless they have the appropriate license plates.

Mr. Maynard Yasmer, Rehabilitation Division, spoke in favor of S.B. 200. He spoke of an ordinance in Las Vegas that does have this type of provision and also has penalties for enforcement. He also mentioned some spaces for handicapped parking are needed in the legislative parking lot.

Mr. Ray Crosby, Disabled American Veteran, spoke in favor of S.B. 200. He said the D.A.V. feels very strongly that there must be some enforcement of this law.

Senator Neal asked if the D.A.V. would object to an amendment on S.B. 200 that would make it effective upon passage and approval. Mr. Crosby said he was certain it would be agreeable.

A.B. 11 EXCLUDES ADULT DRIVERS OF MOTORCYCLES AND THEIR PASSENGERS FROM REQUIREMENT TO WEAR HEADGEAR AND OTHER PROTECTIVE DEVICES.

Assemblyman Mann spoke in behalf of A.B. 11. He said the federal government should not dictate whether a person should wear a seat belt in a car or a helmet on a motorcycle. He said the federal government should not be able to interfere in a person's everyday life. He said the original bill was put on the books because the State was blackmailed by the federal government.

Senator Neal said that irrespective of Mr. Mann's comments about the federal government, he wanted to ask about some of the safety aspects of this bill. Assemblyman Mann referred this question to some of the witnesses that would follow his testimony.

Mr. Kent Robison, Nevada Trial Lawyers, spoke in opposition to A.B. 11. He gave statistics that showed the helmet law is a good law. He said that two-thirds of all fatalities on motorcycles involved head injuries.

Senator Hernstadt asked Mr. Robison if the helmet law was retained as mandatory, shouldn't there be a mandatory seat belt law as well.

Mr. Robison said he thought if it could be shown statistically that it would prevent injuries and that it would be in the best interest of the citizens of the State, then by all means.

Mr. Keith Henrikson, U.M.R.O.N., N.A.C.M. and N.M.F.D.A., spoke in favor of A.B. 11 (see Exhibit A). He added that safety is the issue here and not whether helmets are used or not. He stated that motorcycle helmets have been improved and there is no longer a problem with hearing or peripheral vision. He said that motorcycle riders are 4 to 5 times safer wearing a helmet but he feels it should be a personal choice and not mandated by law.

Dr. Bob Gaston, Nevada P.T.A., spoke in opposition to A.B. 11 (see Exhibit B).

Mr. Sam Marber, Sabres Motorcycle Club, spoke in favor of A.B. 11. He criticized the demerit system for traffic violations in Nevada in regard to the motorcycle helmet law and he questioned the law constitutionally. He said man is not made for law, law is made for man; people are not made for the State, the State is made for people.

Kay Lockhart, Nevada Independent Insurance Agents, spoke against A.B. 11 (see Exhibit C).

Assemblyman Mike Fitzpatrick spoke in favor of A.B. 11. He said that only 47 percent of the motorcyclists involved in accidents have motorcycle licenses. He stated that a great number of people are not skilled in driving a motorcycle and the varying sizes of motorcycles handle differently, unlike an automobile.

Mr. John Borda, Director, Office of Traffic Safety, spoke in opposition to A.B. 11 (see Exhibit D). He also mentioned an editorial from Cycle Magazine printed in the Las Vegas Sun (see Exhibit E). Mr. Borda stated the Office of Traffic Safety has just provided a handbook, Motorcycle Operator Manual, to the Nevada Department of Motor Vehicles to increase the training of the examiners of driver's license participants in motorcycle operation. He stated training is being started in Kindergarten through 9th grade in a safety education program.

Mr. Wally Kurtz, Nevada P.T.A., spoke in opposition to A.B. 11 (see Exhibit F).

Mrs. Lois Kurtz, Nevada P.T.A., spoke in opposition to A.B. 11. She introduced her nephew, Darrel Taylor, a motorcycle accident victim who had incurred head injuries while riding without a helmet. She stated that since he was running an errand for his employer when the accident occurred, N.I.C., at this time, has paid nearly \$100,000 for his medical care.

Mr. Fred Harrell, Motorcycle Dealers Association of Nevada, spoke in favor of A.B. 11. He said instead of motorcycle regulations

by the federal government there should be formal motorcycle training using Motorcycle Safety Foundation guidelines.

Mrs. Helen Amorosa spoke in opposition to A.B. 11 (see Exhibit G).

Mr. Michael Hoover, Director of Social Services at Washoe Medical Center, spoke in opposition to A.B. 11. He said a particular kind of head injury that is seen in the Intensive Care Unit is called a "California Special." These are motorcyclists that are riding in California around Lake Tahoe, Truckee and Interstate 80 area, without helmets. He stated the helmet law is an infringement of personal rights but so are most laws, such as losing your right to drive when you are drunk and discharging firearms at someone or their property. He said a lot of laws point to legislating responsible behavior when it affects other people. He said speaking as a private citizen he has a right not to pay higher taxes in order to support victims and families of motorcycle accidents where helmets should have been worn and possibly would have prevented a disabling injury. He asked what magical thing happens at the age of 18 that makes any person instantly more responsible.

Jim Sallee spoke in favor of A.B. 11. He said ill-fitting helmets can cause injuries in motorcycle accidents. He said that helmets are a bonus, at best, but they do not make up for the lack of qualified motorcycle driver education and motorcycle awareness.

Mr. Gary Johnson spoke in favor of A.B. 11. He said helmets do not make a person a more responsible motorcycle rider. He said driver education in motorcycle operation is essential.

Michael Hoy, Governor's Youth Traffic Safety Association, spoke in opposition to A.B. 11 and distributed a resolution to the Committee (see Exhibit H). He went on to state that suicide is also illegal.

Mr. Richard Garrod, Farmers Insurance Group and Mr. Virgil Anderson, American Automobile Association, spoke on behalf of insurance agencies in opposition to A.B. 11.

A.B. 4 REMOVES REQUIREMENT FOR LAW ENFORCEMENT AGENCY TO
 MAINTAIN RECORDS OF DISPOSITION OF TRAFFIC CITATIONS.

Col. Barney Dehl, Nevada Highway Patrol, spoke in favor of A.B. 4. He said it is virtually impossible to keep records of the disposition of traffic citations. He said a record of every issuance of a citation is very important and he emphatically supports this bill.

Assemblyman Harley Harmon explained this bill was requested by a patrolman in his district. He said this should take care of any crooked policemen and it also cuts down on the workload.

A.B. 19 EXTENDS PROHIBITION OF PARKING NEAR A FIRE HYDRANT TO 20 FEET IN PLACES WHERE ANGLE PARKING OF VEHICLES IS PERMITTED.

Assemblyman Lloyd Mann spoke on A.B. 19. He said this bill extends red zones to accommodate longer fire engines. He said it would be a county option.

COMMITTEE ACTION:

A.B. 11 was held for additional data.

A.B. 4 Senator McCorkle moved that A.B. 4 "Do Pass."

Seconded by Senator Hernstadt.

Motion carried unanimously.

S.B. 200 Senator Hernstadt moved that S.B. 200 be amended and "Do Pass."

Seconded by Senator Neal.

Motion carried unanimously.

A.B. 19 was held for further consideration.

There being no further business, the meeting was adjourned at 4:30 p.m.

Respectfully submitted,

Jane A. King, Secretary

APPROVED:

Richard E. Blakemore, Chairman

Keith J. Henrikson
Representing UMRON, NACM, NMFDA,
Speaking in Favor of AB-11

"Repeal the helmet law" -- "Let those who ride decide"
--do not misunderstand the motorcyclists' pleas for their
individual right of "freedom of choice."

They are simply opposed to federal government mandated
laws and intrusions fostered by those bureaucrats who propose
solutions before defining problems.

In all discussions of vehicular safety, much is made
of statistics. Every statistical study produces answers writ-
ten in stone. Absolute. But for every verification, there is
a contradiction. Elaborately analyzed, morally superior beliefs
of federal or state agencies simply do not hold up under close
scrutiny. In fact, an ordinary citizen is admittedly hard-pressed
to understand what is said by people who speak in acronyms,
capitalized abbreviations and their own interpretations of pro-
found understanding.

Some cases in point, using last year's available approxi-
mate statistics:

- 50,000 deaths from cars per year
- 13,000 deaths from fires per year
- 7,500 deaths to pedestrians by cars per year
- 4,100 deaths from motorcycles per year
- 28% of auto fatalities are from head injuries
- 26% of motorcycle fatalities are from head injuries

Point 1: If safety and/or saving lives is the issue, why not require automobile drivers to wear helmets?

Point 2: It is almost twice as dangerous to walk as it is to ride a motorcycle.

Point 3: It is over three (3) times as dangerous to live in a house as it is to ride a motorcycle.

Point 4: It is twelve (12) times as dangerous to drive or ride in a car as it is to ride on a motorcycle.

And on--and on. Helmet studies in other countries are contradictory. Canada had less fatalities. England had more. California had the largest increase in motorcycle fatalities in the nation (38% to 42%). Ironically, they had no helmet law repeal to blame. Eight (8) of the nine (9) states with the worst fatality records retain helmet laws. Two (2) of them alone accounted for 15% of the total 23% (disputed) national increase.

Twenty-six (26) states have rejected the federally mandated helmet laws. Of the thirteen (13) western states, only Nevada and Wyoming remain under the paternalistic federal guidance of helmet laws.

By now, it should become clear that there is a common theme in what I have said. The helmet law had its turn and failed to deliver. Now it's time to concentrate on accident prevention, the only effective, meaningful motorcycle safety goal.

Training programs, stricter licensing, motorcycle defensive driving tactics, awareness campaigns, safety courses, and,

of course, voluntary helmet use programs in all of this education. Those whom I represent all realize that serious and fatal injuries are four (4) to five (5) times as likely to occur without helmets as with them. We are, after all, not motivated by a need for self destruction, but by a universal and basic concern of self preservation.

We are not bringing any ~~auto accident~~ auto accident victims, pedestrian accident victims, or burn victims here today as witnesses, and we could, as you must be aware. They are not the issue here today. Neither are the statistics--mine or anyone else's (except to show that great tragedy will not strike). Supreme Court decisions also are not the issue. The federal government, we already know, can do as it wishes (most of the time).

The nurses saying how bad the injuries are, the attorneys saying how bad the injuries are, the PTA, the medics, the firemen--all saying how bad the injuries are. Those statements can all apply to autos, airplanes, boats, bicycles, etc.

The issue here before us is simple: Individual rights versus the federal government mandates. Freedom of choice versus government laws, rules and regulation of our daily lives.

Thank you.

Taking the Floor

EXHIBIT A

What really happens after states repeal their helmet laws?

"Deaths Up Since End to Helmet Law," groaned the headline in the *Wichita Eagle*. The July 1978 article, compiled largely from press releases issued by the National Highway Traffic Safety Administration (NHTSA), explained that U.S. motorcycle fatalities rose by 770 in 1977, a 23 percent increase over 1976. The fault was laid squarely at the feet of the 25 legislatures that repealed or modified their compulsory helmet-use laws in 1976 and 1977.

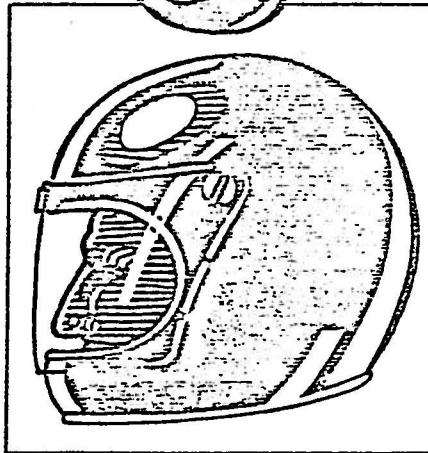
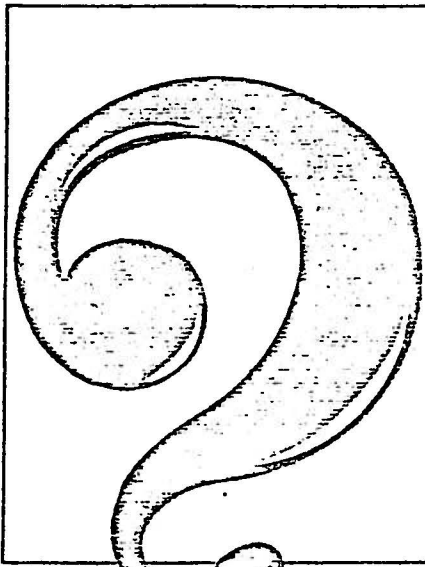
This news feature, like hundreds similar to it around the nation, neglected to mention other statistics that might have thrown some light on the state of motorcycle safety in 1977:

— Ohio and New York had fatality increases of 53 and 56 respectively, together they accounted for 15 percent of the total national 1977 increase.

— Georgia, Massachusetts, New Jersey and West Virginia had 1977 percentage increases of cycle fatalities averaging 63 percent over 1976; Wyoming recorded a 202 percent increase in fatalities, in numbers of fatalities, these five states accounted for 17 percent of the total national increase in 1977.

There have been no NHTSA press releases discussing what happened in the seven states mentioned above—because all seven kept their helmet laws in 1977.

NHTSA's claims concerning the national results of a spate of repeals (29 as of September 1978) simply don't hold up. That agency, with a monopoly on highway safety statistics, usually has its numbers and conclusions accorded a luxury no federal agency should have—that of employing black-white absolutes and getting away with it. But that is changing. With dogged pursuit of the facts that count by the American Motorcyclist Association (AMA), the Motorcycle Industry



Council (MIC) and cycling citizens groups, the rest of the picture comes into focus. So set aside for a moment the impressions of helmet law repeals promoted by the Federal NHTSA and its state-level counterparts, and reflect on parts of the picture they have chosen to leave out.

1) "Repeal" states, as a group, had a slightly superior safety record to "law" states, as a group, in 1977. Comparing the fatalities-to-10,000-registrations ratio (f/10k r) of the two groups shows a figure of 7.19 for the 25 "repeal" states and 9.09 for the 23 "law" states. (Of the nine states with the highest such ratios, eight had kept their helmet law.)

Some motorcycle safety authorities have adopted a fatalities-per-100-accidents ratio (f/100a). This figure is considered especially im-

portant because it addresses directly the principal alleged benefit of a motorcycle helmet law—the protection of cyclists.

The f/100r for the "repeal" group in 1977 was 2.56; for the "law" states, it was 2.62. While the "repeal" states show a slightly better survivability score, the two figures are so close as to be essentially identical, as the AMA is emphasizing. NHTSA ignores these statistics.

The extreme similarity in fatality-per-100-accidents ratios between "law" and "non-law" situations has been demonstrated at least twice before. The AMA scrutinized 18 states with "clean" statistics (no non-motorcycles mixed with cycle registrations; no non-cyclists counted as cyclist fatalities) and compared f/100a ratios for years before and after enactment of their respective helmet laws. Before the laws, the states' overall average was 2.688; after the laws, it was 2.562. The "law" states came off with a slightly lower figure, but the AMA again points out the essential similarity between the two. A common test for statistical significance shows the two to have no real difference.

A comparison by the writer of 1976's eight "repeal" states to all the helmet law states showed an f/100a ratio of 2.33 for the repealers and 2.59 for the states with such laws. Again, it is a case of outstanding similarity.

2) The claimed fatality increase of 23 percent is an exaggeration. Some "fatal motorcycle accidents" don't involve motorcycles at all, according to the Fatal Accident Reporting System (FARS). About 2 1/2 percent of the total fatal accidents are associated with mopeds and all manner of "unknowns," many of which are driven illegally in every neighborhood in the country. Mopeds are not considered motorcycles by 33 states. Yet at the federal level all moped fatalities are called motorcycle fatalities even when it is known that the moped fatalities in question occurred in one of those 33. (There may be far more moped accidents than is realized: from conversations with police officers. I

1A 23% INCREASE did NOT CONSIDER 9 REGISTRATION INCREASE OF

learned that many do not distinguish between the two vehicle types when investigating accidents in the field.) As with the mopeds, the "unknowns" are another category irrelevant to the helmet law because the victims can't be shown to have been on motorcycles, legal or actual, at all.

About 3 1/2 percent of 1976's cycle fatality toll, the FARS said, were actually persons other than motorcyclists. There are many fallibilities still built into FARS, not the least of which is the situation in which some states count fatalities from accidents involving motorcyclists instead of counting fatally injured cyclists only. This would assure higher counts at the federal level.

No one is certain of the actual 1977 motorcyclist fatality toll, but it is clear that some categories should never have been included and ought to be subtracted from the claimed total.

3) A FARS study covering all states through most of 1977 found "no significant difference in the fatality rates of states requiring or not requiring the wearing of motorcycle helmets."

4) While NHTSA bemoans helmet law repeals, its own FARS is unable to tell it whether or not 31 percent of the nation's fatalities were even using helmets. With such an enormous gap in essential supportive data, the vigorous and continued promotion of mandatory helmet laws—after three-fifths of the states have rejected them—seems a classic example of bureaucratic bull-headedness.

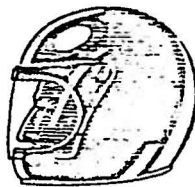
A close examination of the increase in fatalities among cyclists reveals that the same increase probably would have occurred had no repeals been enacted at all; there is evidence that average annual cycle usage had doubled by 1976 from a decade ago and was increasing even more in 1977; that weather throughout the nation inhibited motorcycling in 1976 but encouraged it in 1977, thereby increasing rider exposure; that the number of persons licensed to operate cycles in 1977 in-

creased about 9 percent over 1976; that the increase in cycle fatalities is part of a national trend affecting all vehicles (up 14 percent from 1975 for all and up 21 percent for big trucks).

This nation's 20 million motorcyclists want a safer motorcycling environment. But the ideals instilled in us make forced helmet-use laws a totally unacceptable approach. Having established that there is no real difference in the safety records of "law" and "non-law" states, we should now seek this safer environment through training, stricter licensing, awareness campaigns, and voluntary helmet-use programs, all of which are supported by the vast majority of cyclists.

But the bureaucratic class, which got us all into this compulsory law morass a dozen years ago, has its incisors imbedded deeply, and typically and stubbornly refuses to let go.

The helmet law had its turn and failed to deliver. Now it's time to concentrate on accident prevention, the only meaningful motorcycle safety goal, and the one the helmet law does not acknowledge.



Gary Cupe is a Colorado writer and real estate appraiser. Sources of the figures cited in this article are available from the author.

CYCLE WORLD

SORRY, JOAN

When the National Highway Traffic Safety Administration found out about a large increase in motorcycle fatalities last year (1977), administratrix Joan Claybrook pounced upon the numbers and proclaimed that helmet law repeal was the cause. That was before anybody had a chance to look at the actual numbers. Once the statistics became available, the AMA reviewed the figures and published a report which contradicts some of Ms. Claybrook's opinions and conclusions. Among the findings:

Eight of the nine states with the worst fatality records retained helmet laws.

NHTSA didn't consider the large increase in moped registrations which would influence accident statistics.

Overall motor vehicle fatalities, including cars and trucks, also increased markedly in 1977. Ms. Claybrook explained the rise in automobile fatalities as a result of increasing highway speeds.

Department of Transportation statistics compiled since 1975 have shown "no significant difference in the fatality rates of states requiring or not requiring the wearing of motorcycle helmets."

The reports which NHTSA based its conclusions on didn't even indicate if a

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motorcyclist had been wearing a helmet in 31 percent of the fatalities.

States which had a helmet law had a higher fatality to registration ratio than states without helmet laws.

If any conclusions can be reached, it must be that helmet laws don't prevent accidents or fatalities. Helmets, however, are still valuable pieces of safety equipment.

Our turn in the test tube

Since the dawn of the Age of Science, the lowly white rat has been invaluable to researchers of psychology and medicine. This furry little fellow is the perfect subject for experiments aimed at the betterment of mankind, mostly because he is plentiful, dispensable and morally irrelevant. (Nobody much cares if you kill a rat.)

Thus, white rats get pinched, poked, tortured, lobotomized, electroshocked, carcinogened and obliterated with abandon. Nobody mourns when the experiments don't pan out because the white rat's principal contribution to society is being expendable. And in the laboratory of practical political science, we motorcyclists too often play the role of white rat.

Take the National Highway Traffic Safety Administration (NHTSA) for example. Since 1967, this DOT agency has been obsessed with mandatory helmet laws for motorcyclists, even though we represent a tiny minority in the total traffic picture. This disproportionate attention is somehow sold to the public as sincere and paternal concern for our safety. Most of us who ride—and thus are directly affected—don't buy that.

NHTSA's "concern for safety" argument simply doesn't wash. During all the years the agency was threatening to withhold highway money from states with no helmet laws, it openly resisted any contribution to rider education. The AMA helped remove that blackmail power two years ago, 26 states have since repealed helmet laws they didn't want in the first place . . . and still NHTSA fights on. The few grudging dollars finally going to education are accompanied by Administratrix Joan Claybrook's announcements that education is "counterproductive."

Why all this fuss? Why have so many tax bucks gone into the 10-year fight for mandatory motorcycle helmets? Because the key word is not "helmets" at all; the key word is "mandatory."

Back in 1966, Congress gave the NHTSA very broad powers. This growing and aggressive agency has since been testing the system, probing the limits of those powers and seeking additional opportunities to flex its bureaucratic muscles. (The 55 mph speed limit is a recent example.) Through it all, we motorcyclists have simply been white rats—plentiful, dispensable and notably short on public sympathy—the perfect subject for a misguided experiment.

Consider that in 1976 the NHTSA rated seatbelt use as its highest priority for saving lives. Mandatory motorcycle helmet use ranked 21st on that same NHTSA list. If the objective is to save lives, why have helmets rather than seatbelts been the burning issue? The answer is obvious. While the public is not ready to accept government-dictated seatbelt use, it is not particularly upset about putting mandatory helmets on the white rats of society.

Rest assured, America, that NHTSA success on mandatory helmets would do a great deal more than force us motorcyclists to put our hats on. If helmets could be successfully mandated, then seatbelts (which do work) and air

bags (which probably don't) will follow. The door of social and constitutional precedent will be kicked open, letting in all sorts of totalitarian dictates from the non-elected branch of government.

Now let's consider the Environmental Protection Agency (EPA). Borrowing a page from NHTSA's laboratory manual for government expansion, they selected the motorcyclist as the white rat for an experiment in consumer product noise control.

When the EPA was created, air and water pollution were its big priorities. Expense and inefficiency aside, EPA has helped give us cleaner air and water today than we had at the agency's inception. But finishing the job and closing up shop are not the style of the federal bureaucracy; thus the interest in noise. Desperate for projects and unable to make much headway against powerful lobbies like the airline and trucking industries, the agency has seized upon the unlimited potential in "nuisance noise control." That decision was made easier by the ready availability of two-wheeled white rats on which to experiment.

Launching its suggested regulations with a reprehensible campaign of distorted, discriminatory and outright false publications and public announcements, the EPA attempted to obscure all kinds of technical and procedural flaws in its own proposals. By pandering to the emotional issues surrounding motorcycle noise, the agency made clear its feeling that bikers, lacking public sympathy, would be an easy rat to snuff.

But things aren't working out that way. In July, AM devoted lots of space to informing our members about the ill-advised regulations. The reaction was phenomenal, and the flood of objections that inundated EPA's Washington offices surpassed anything previously seen from the motorcycle fraternity.

Simultaneously, the AMA Legislative Supporter Program snicked into high gear and really started to pull, moving past the \$30,000 mark in contributions from dedicated bikers who refuse to be treated as laboratory animals.

There is a clear lesson here for all the political experimenters in Washington. They had better understand that we motorcyclists care about our sport. The AMA is a strong organization of members who will fight for that sport. AMERICAN MOTORCYCLIST is a strong voice offering truth to offset their deception and bureaucratic doubletalk. And finally, we bikers will put up the money it takes to win.

Mr. Bureaucrat, conduct your misguided experiments if you must. But never forget that this white rat has teeth.

Dave Despain

Communications Director



ed YOUNGBLOOD

Director of Government Relations

In defense of special interests

Special interest groups are a hot topic. Both TIME and U.S. NEWS AND WORLD REPORT printed major features on the emergence of special interest groups in the 1978 elections, and other media are focusing their opinion-shaping power on us as well.

If you believe most of what is written and broadcast on the subject, special interest groups rival money itself as the root of all evil. The political and news establishments frequently portray special interest groups as fronts for big business. That scenario depicts private citizens willfully or unwittingly serving as cacophonous voices for the captains of industry, who dispatch funds and pull strings from behind closed doors.

The White House itself leans to the view that special interest groups are hurting America. Last year it pressured Congress to inhibit the development and limit the power of such groups, and Senator Abraham Ribicoff responded with enthusiasm. Aided by Senators Javitz, Kennedy and Percy, he introduced a bill that would have made it very difficult for special interest groups to operate as a lobbying force on Capitol Hill. (The AMA and others fought Ribicoff's bill to a standstill, based on the fundamental position that it would have limited the right of the American people to petition Congress.)

Special interest groups are also viewed with alarm by the political estab-

lishment. Democrats and Republicans alike admit that factionalism is cutting into their ranks. Perhaps more importantly, the flow of political contributions, traditionally sent the way of the major parties, is increasingly dispersed among organizations devoted to specific and sometimes narrow issues.

In short, special interest groups have a lot of enemies, most of whom view the defeat of Ribicoff's bill as proof that selfish, narrow-minded forces have already gained a foothold sufficient to destroy America. I don't see it that way. I am delighted that special interest groups—not only the AMA but also our special interest sisters with whom we often disagree—have gained a foothold perhaps sufficient to save America.

Media images of greedy and narrow-minded special interests notwithstanding, the White House and others are trying to dispatch us on a one-way guilt trip for daring to take an interest in our government. Instead of feeling guilty, let's take a look at how special interest groups came about and how they fit into the larger political system.

The special interest phenomenon is nothing new. James Madison, fourth President of the United States, referred to "factions" as "a number of persons . . . united and actuated by some common impulse of passion or interest." The American Motorcyclist Association is a special interest group. So are the National Rifle Association, the Sierra Club and the American Medical Association. Special interest groups usually take the form of associations or political action committees (PACs). Some are formed specifically for political reasons. Others are like the AMA: After long histories as *avocational* organizations they recently turned their attention to government and restructured themselves as *political* special interest groups.

Why have special interest groups proliferated? The answer is simple. Government has become unresponsive to the citizens who pay its bills. No one is listening to the people. The Republican and Democratic parties have dissolved into vague establishments with such flexible and ambiguous platforms that the voters—and even the leaders themselves—can't tell one from the other. Special interest groups have emerged not of their own volition but because government unresponsiveness forced their creation.

Take the case of motorcyclists. Most of us would be perfectly happy to return to the AMA of the 1950's, with nothing to worry about but scooting around and having fun. Unfortunately, by the middle 60's it was obvious that unless we turned our attention to government there would soon be no place to scoot to and perhaps nothing to on which to scoot.

We didn't go looking for an opportunity to mess with Washington. It happened because Washington began to mess with us; because Congress began to turn government over to the gigantic regulatory agencies. In short, special interest groups are a direct result of the recent emergence of special interest bureaucracies like EPA, NHTSA, BLM and the rest.

In turning the function of government over to regulatory bureaucracies, Congress badly damaged the system of checks and balances essential to our form of government. The framers of the Constitution carefully kept the powers of the executive, legislative and judicial branches separate, a principle which has done a great deal to keep America free. But the growth of regulatory authority within the executive branch flies in the face of this principle. Certain of these agencies are empowered not only to write the rules but also to administer them, judge the violators and hand down penalties. Legislative, executive and judicial functions are all found under one roof.

Thus, special interest groups are simply trying to reestablish a system fundamental to a free nation. Their intense pressure to hold government accountable on specific issues has taken the place of the faltering system of checks and balances.

Special interest leaders and government officials alike should be able to agree that this situation is very unfortunate. It is regrettable that a citizen pays taxes for government services, then pays dues to an association or makes contributions to a political action fund to see that these services are carried out. And it is *not* the American people who made things that way. Rather, it was the individuals elected by the people and in whom the people placed their trust.

No, special interest groups are not the destroyers of democracy. More likely, they are its saviors. I agree with Nathan J. Muller, who recently wrote in *Political Action Report*, "Like it or not, this is the New Politics—a widespread perception that government is indeed the creature of the governed, and that people have the right, the power and the duty to control its size, cost, powers and direction." Muller commented further that the emergence of special interest groups, "however uncompromising, militant or chauvenistic they are perceived to be, marks a striking renewal of political vitality in the nation."

None of us should ever feel guilty about active support of our special interests or our involvement in political special interest groups. Rather, we should be proud of our active involvement in a new and exciting chapter in the history of democracy.

EXHIBIT A



DR. CHARLES
HARTMAN

President, MSF

Rider education needs vocal support

When this quarterly column first appeared in the April AM, you were promised safe riding tips and news on important issues affecting motorcycle safety.

The first installment of safe riding tips appeared in the July column. Many readers have written asking for more of the same, and it will be provided in future columns.

For now, I invite your attention to a surfacing issue that could affect the future of motorcycling in the U.S. That issue is motorcycle rider education and its role in preventing or reducing accidents.

Most formal rider education courses in America got underway within the last few years. When the Motorcycle Safety Foundation (MSF) began its program in 1973, certain standards were established. Typically, MSF courses use the latest teaching materials such as the *Motorcycle Rider Course* (available for \$2 from MSF); are taught by qualified riders/instructors; and consist of 23 hours of instruction, half in-classroom and half on-cycle.

Those successfully completing such courses begin their street riding prepared to cope with traffic. It's a big improvement over the "system" most of us used. However well-intentioned people may be, a few words of advice from a dealer or friend are woefully inadequate to meet the demands of safe motorcycle operation in today's traffic.

One of MSF's goals is to greatly increase the availability of quality rider education courses. Only a small percentage of each year's new motorcycle riders have an opportunity to receive such instruction. Despite steady growth in recent years, fewer than 300 organizations offered motorcycle rider education courses in the United States last year. Most were offered through public high schools or adult education programs. There were about 23,000 "graduates" of these courses.

There are several good reasons behind MSF's push for more quality rider education courses. Serious motorcycle accidents are highly concentrated among those riders with limited experience, especially those who have been riding six months or less. That's especially true for younger riders, both the 16-20 and the 21-25 age groups.

Lack of knowledge and poor skills characterize these beginning motorcyclists. When coupled with an understandable enthusiasm to ride, a potentially dangerous situation exists.

Quality rider education provides the needed knowledge, develops the skills (including *perceptual* skills) and, under careful supervision, develops a frame of mind that puts the newcomer's enthusiasm into proper perspective.

Education isn't the only answer, of course. It's *one* of the answers. Routine use of a helmet and other protective gear is another. So is improved motorcycle operator licensing. Not to be forgotten is educating the car driver to greater awareness of the cyclist's presence and safe roadway sharing.

But rider education is central to all of this.

There are those who would end such education courses tomorrow. They charge that such instruction is "counterproductive," whether it be automobile driver education or motorcycle rider education.

Much of the opposition to motorcycle rider education originates at the Washington-based Insurance Institute for Highway Safety (IIHS). A few years ago, IIHS Senior Vice-President Ben Kelley called for an outright ban on motorcycle manufacture and use.

Earlier this year the IIHS issued a "research report," backed by considerable press fanfare, which zeroed in on automobile driver education. The headline read, "*Driver Education Found Increasing Teen Licensing and Fatal Crashes.*"

Their argument goes roughly like this: If you provide education and training in car or motorcycle operation, more people may become car and motorcycle operators than would be the case if instruction were not offered. With more people driving cars and riding motorcycles, more will be injured or killed. Therefore, automobile driver and motorcycle rider education actually

cause more deaths.

If you find some major flaws in that line of reasoning, you have a lot of company. Several respected researchers and traffic safety authorities have challenged and discredited this "education is counterproductive" viewpoint.

There are those who believe it, however. Speaking before motorcycle industry executives earlier this year, National Highway Traffic Safety Administration (NHTSA) Administratrix Joan Claybrook said, "We are sympathetic to the charge that promotion of these training courses in the school system serves to entice large numbers of young people to ride motorcycles and we are concerned that such availability of motorcycle training courses may, in terms of total crashes, be counterproductive."

MSF staff members have been working cooperatively with NHTSA on several important aspects of motorcycle safety for the past five years. Working relationships were formalized in a written "cooperative agreement" with one of Ms. Claybrook's predecessors in 1975. Most of this cooperative work has been in research and evaluation of motorcycle licensing and education programs. Despite Ms. Claybrook's expressed views, ~~this cooperative NHTSA-MSF work should continue in the interest of safety.~~

Most persons who are critical of rider education see vehicle and roadway engineering changes and increased regulation as the only sure ways to improve safety. They put little if any faith in accident *prevention* efforts, preferring instead to minimize injury *after* accidents happen.

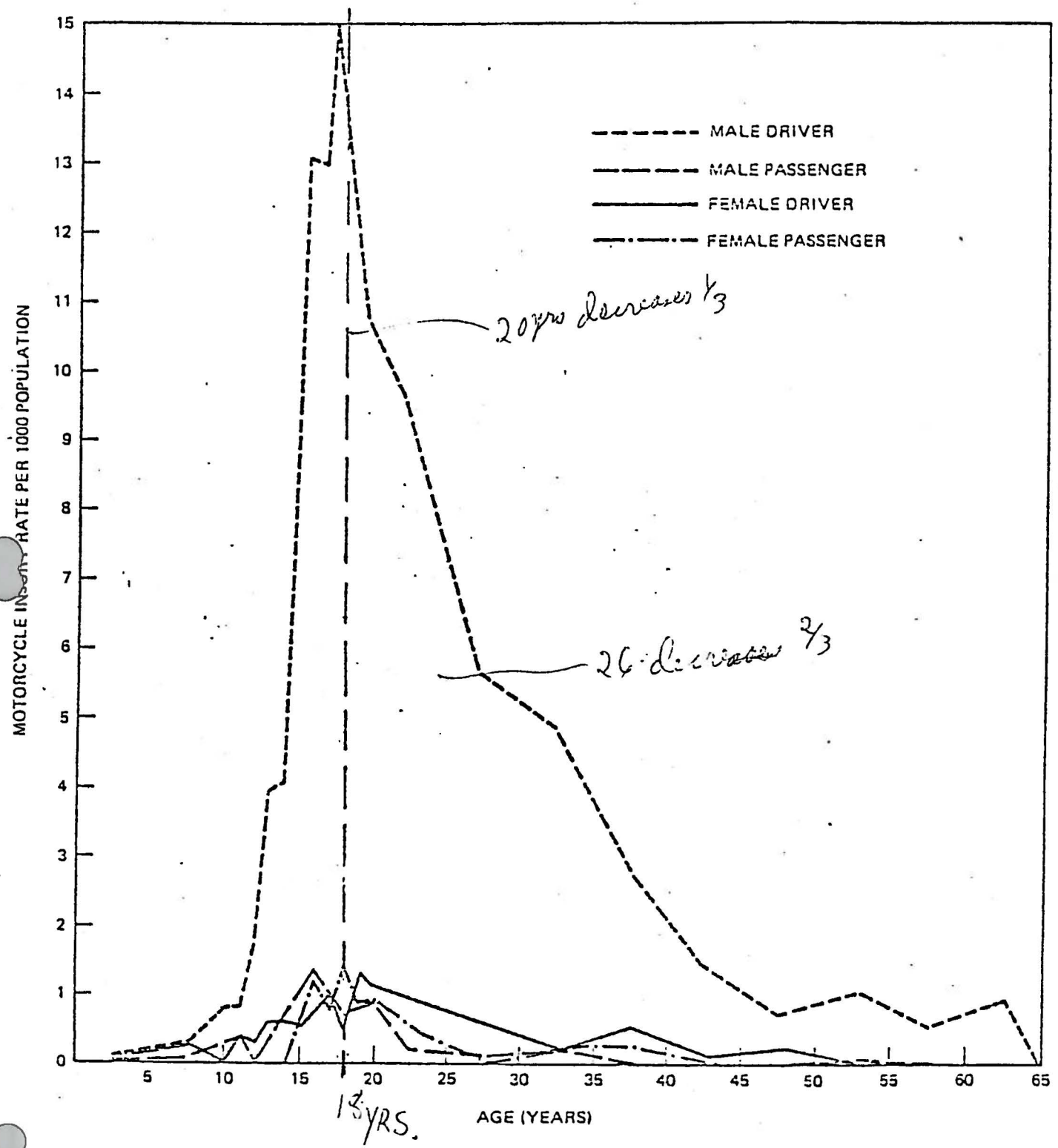
These critics are vocal. At the IIHS they apparently have the backing of a large and well-funded industry, America's multi-billion dollar auto insurance business.

Unless others speak up and speak out to the contrary, the "education is counterproductive" viewpoint will be repeated time and time again. Eventually the public may come to accept it as being true.

That would be a sad day for motorcycling and motorcycle safety. Without progress through education, licensing improvement and related efforts, motorcycle accidents and injuries will increase. As they do, critics will take the next step—their ultimate goal—undue restrictions or an outright ban on motorcycle use, all "in the name of safety."

Those who care about motorcycling and motorcycle safety need to stand up and be counted on this issue. Motorcyclists have become known for opposing mandatory government regulations. Can we become equally well known for supporting positive safety efforts like rider education?

INCIDENCE OF MOTORCYCLE COLLISION INJURY
ACCORDING TO AGE, SEX, DRIVER/PASSENGER STATUS
SACRAMENTO COUNTY, CALIFORNIA, 1970



MAINTAINING THE MOTORCYCLE HELMET REQUIREMENTS

Presented by Dr. Bob Gaston

Nevada State Parent Teacher Association

You are here today to consider the advisability of revoking the current law which requires all of those who ride motorcycles to wear helmets. There seems to have been a grand lobbying effort by a group of motorcyclists to repeal this law during the last two sessions. The bill that you are reviewing proposes to revoke the requirement for wearing helmets to those who are 18 years and older and maintain the helmet requirement for those under 18 years of age. Nevada State PTA, in its 1978 convention, voted unanimously to vigorously oppose any move to revoke this law. This organization sees this proposal as dangerous and unenforceable. You will be told that a mandated helmet law violates an individual's constitutional rights, and yet the United States Supreme Court has already ruled that mandatory helmet usage does not violate an individual's constitutional rights.

In a 1972 decision - subsequently affirmed by the U. S. Supreme Court - upholding the constitutionality of a Massachusetts motorcycle helmet law, the Federal District Court for Massachusetts said:

"While we agree with plaintiff that the act's only realistic purpose is the prevention of head injuries incurred in motorcycle mishaps, we cannot agree that the consequences of such injuries are limited to the individual who sustains the injury . . . The public has an interest in minimizing the resources directly involved. From the moment of the injury, society picks the person up off the highway; delivers him to a municipal hospital and municipal doctors; provides him with unemployment compensation if, after recovery, he cannot replace his lost job, and, if the injury causes permanent disability, may assume the responsibility for his and his family's subsistence. We do not understand a state of mind that permits plaintiff to think that only he himself is concerned."
(Simon V. Sargent, 346 Supp. 277, 279, D. Mass. 1972, affirmed 409 US 1020).

Several state courts have answered challenges concerning the individual's right to wear or not to wear a helmet as he chooses by stating motorcyclists are using public roadways and are therefore subject to state police power. Requiring helmets was compared to hard hat regulations and eye protection for construction workers and safety belt usage during take off and landing in airplanes.

There are those that will argue that just as many deaths result from head injuries in cars. The comparison of the safety and protection offered by cars and that of motorcycles makes that argument ludicrous. Do these people mean to insinuate that riding an open two wheeled motorcycle is as safe and protected as a car that is stabilized by four wheels, surrounded by a steel frame and thoroughly insulated with padding materials?

The U. S. Department of Transportation verifies this statement. They report that the rate of death for motorcyclists involved in accidents is three times higher than for occupants of other motion vehicles involved in crashes.

Another argument that you may hear is that neck injuries are increased as a result of wearing helmets. Research from several regions (Nebraska, Canada, Australia) indicates that only 2% of all motorcycle crashes involve neck injuries. Neither coroners' nor multi-discipline teams' investigations have linked helmets to an increase in neck injuries according to the National Highway Traffic Safety Association.

You may be presented with an argument that the ability to hear is reduced by wearing helmets. The ability to hear a particular sound depends on whether the sound is louder than the motorcycle engine noise. Helmets reduce both the sound of the engine and any outside noises by equal proportions. Anything loud enough to be heard over engine noises when not wearing a helmet will still be heard with a helmet on.

A study comparing the motorcycle fatal crash involvement rates in eight states with helmet laws (Arizona, Colorado, Idaho, Kansas, Kentucky, Louisiana, Maryland, and Minnesota) with eight states which had not adopted the law (California, New Mexico, Montana, Iowa, Virginia, Illinois, Mississippi, and West Virginia) found that the average fatal involvement rate for the eight states that enacted helmet use laws declined from more than 10 per 10,000 registered motorcycles the year before the laws' enactments to about seven per 10,000 registered motorcycles, both in the year of the laws' enactment and the following years. In contrast, the average fatal involvement rate in the eight states without a helmet law remained at about 10 per 10,000 registered motorcycles throughout the period of the study.

In a more recent study by USC the conclusions were even more dramatic. They found that of all of the motorcycle deaths in 1977, in the Los Angeles area, 85% of the victims were not wearing helmets.

This committee would be wise to look at the statistics of those states who have repealed the helmet laws. Has this repeal made any significant difference in these states? The United States Department of Transportation in a July 29, 1978 news release stated that "Deaths involving motorcycle accidents have reached record numbers following the repeal of helmet use laws in 22 states."

Joan Claybrook, National Highway Traffic Safety Administrator, stated that in 15 states that repealed their helmet use laws since 1976, the number of fatalities involving helmetless cyclists showed a dramatic increase of 88% from 1976 to 1977.

Over 22 states have now repealed or weakened their helmet laws over the past two years, and the results in some have been tragic. Preliminary data from Kansas following repeal of their helmet law has indicated that:

- . . . "the incidence of head trauma increased by 70%
- . . . "the incidence of head trauma is 81% greater for those not wearing a helmet at the time of accident, than for those wearing a helmet,"

The anti-helmet group may suggest to you that vision, especially side vision, is reduced by helmets. Motorcycle helmets (unless they are the racing helmets) provide at least 140 degree peripheral view, horizontally. Wearing a full-coverage helmet, the type used by most riders, the motorcyclist has only 3% less vision than the helmetless rider.

Results of a University of Southern California Study of 990 motorcycle accidents showed that the chance of serious or fatal head injuries is five times greater for unhelmeted motorcyclists. Not one single case was found where the helmet caused an accident by impairing hearing or vision, nor were helmets responsible for causing any type of injury other than in severe impacts where some minor skin burns resulted from the chin straps.

In researching this issue, every study we have discovered concludes that it is exceedingly safer to ride a motorcycle if you wear a helmet. The United States Department of Transportation has stated that, "studies and statistics confirm that the helmet is the most important piece of individual protective equipment that a motorcyclist can wear. It not only saves lives, but often reduces the extent of injuries in the event of an accident."

Various studies done in the period 1960-65 (before the enactment of mandatory motorcycle helmet laws) indicated that as many as two-thirds of motorcycle fatalities resulted from head injuries. A study of motorcycle riders killed in accidents in the State of Washington in 1965 and 1966 showed that almost two-thirds died from injuries to the head or skull. (Crancer, A., "Motorcycle Fatality Study, 1965 and 1966 Data", Washington Department of Motor Vehicles, Olympia, Washington, 1967.)

A study comparing motorcycle accident head injuries in Michigan (a helmet law state) and Illinois (a non-helmet state) found that compulsory helmet usage in Michigan reduced fatal or serious head injury by 63% and head injury of all types by 54%.

and . . . "the severity of head injury is 56% greater for those suffering head injuries without benefit of helmets, than for those who are wearing a helmet at the time of injury.

The study concluded that:

. . . "the crude death rate for those not wearing a helmet at the time of the accident is 310% greater than the death rate for those wearing a helmet at the time of accident."

Figures from five states that had their mandatory helmet law repealed for all persons or for those aged 19 or over, reveal a marked increase in fatalities. The states with comparisons follow:

	<u>1977</u>	<u>1976</u>
Washington	72	61
Oregon	72	43
Arizona	70	49
Colorado	61	35
Minnesota	94	57

The combined total of the five states shows an increase of 124 or 50.6%.

The Federal Safety Agency said a number of other factors may have contributed to the climb in motorcycle deaths, including an increase in miles traveled and a boost in the number of motorcycles. These other factors could not have been too significant because cycle registrations rose only 1% from 1976-77 while the motorcycle death rate nationwide rose 23%.

Repeal of the mandatory helmet use law in Colorado resulted in:

- * A decline in helmet usage from nearly 100% to less than 60%.
- * A 260% increase in the proportion of accidents with severe head injuries.
- * An increase in rider fatalities from 14 per 1,000 riders in reported accidents to 22 per 1,000 riders.
- * An increase from 3.4 in 1976 to 6.3 in 1977 in the rate of motorcycle fatalities per 10,000 registered vehicles.

Four special accident studies are nearing completion in Colorado, Oklahoma, Kansas and South Dakota. The studies indicate that the chance of a fatal head injury appears to be at least four times greater for the un-helmeted motorcyclist. Head injuries were the most frequent single cause of death for both helmeted and unhelmeted riders, but the incidence of head injury was much lower for the helmeted riders.

The PTA is primarily concerned with children. We feel that to assume that children under 18 will abide by a helmet law that does not apply to those over 18 is naïve. As parents we are aware of the potent influences of models. To believe that a 16 or 17 year old child will not model the behavior of his older friends by wearing a helmet when they are not, is also naïve.

We believe that the prudent, wise motorcyclist will continue to wear helmets whether or not the law requires them to. Our concern is over those less prudent and unwise motorcyclists whose disability the state will have to pay for the rest of his life (if he is lucky enough to live). And our concern is over those young, most impressionable kids who think it is cool to look like the big guys.

The resolution of the Nevada State PTA was one that the delegates overwhelmingly and unanimously approved - that was to support the present helmet law.

I am the principal of an elementary school where each year we give an award to an outstanding athlete. This award is called the "Troy Taylor Award." It is named after a former student in my school that tragically died of head injuries sustained in a motorcycle accident. He was not wearing a helmet!

Those supporting the bill to repeal the helmet law because of their human rights or because it is uncomfortable or too warm must answer this question; if just one child dies (because he is imitating his older helmetless

friends) is your cause worth it? The parents have stated that they don't want you to take that chance with their child.

-30-

Lockhart Insurance Agency



1024 PLUMAS ST., P. O. BOX 6

RENO, NEVADA 89504

February 20, 1979

The following figures from the only study before and after a Helmet Law using same data and technics for survey were obtained from Mr. Lance Clem, Public Information Director, Colorado State Division of Highway Safety. The Law was repealed May 20, 1977. These figures are for the period May 20, 1976 through December 31, 1976 and May 20, 1977 through December 31, 1977.

1. Increase in deaths of 108%.
2. Helmet use from 99.7% of operators to 49% of operators.
3. Fatalities from 17 per 1000 in 1976 to 27 per 1000 in 1977.
4. Critical injuries from 5 per 1000 in 1976 to 23 per 1000 in 1977 (these are the costly injuries as costs continue between time of injury and time of death).
5. Most severe injury - truama to head - from 129 per 1000 in 1976 to 335 per 1000 in 1977.
6. Relative to overall injuries, those to head accounted for 8.4% in 1976; those to head accounted for 18.7% in 1977.

Relative to costs:

1. Total cost to State of Colorado of all motorcycle crashes was \$22,062,700. When divided by total registrations of motorcycles of 108,559, this a cost to the State of \$203.23 for every motorcycle registered.
2. Of total medical expenses paid to Denver General Hospital after repeal, \$6.00 of every \$10.00 was paid by State of Colorado. Of this 18% was paid from the Medical Indigent Fund.
3. Of total hospital costs due to motorcycle injuries, the cyclists themselves paid only 3.4%, the balance was paid by the State of Colorado and insurance.
4. Using the National Safety Council's figure of cost per motorcycle fatality of \$135,000. The total fatalities due to motorcycle accidents was 61 - a cost to the State of Colorado and its citizens in 1977 of \$8,235,000.

Among those presently supporting the reinstatement of the Helmet Law in Colorado are the Colorado Motorcycle Dealers Assn.

NEVADA'S MOTORCYCLE
HELMET AND ACCIDENT ANALYSIS

by
Dennis K. Tatum
Deputy Director
Nevada Office of Traffic Safety
Capitol Complex
Carson City, Nevada 89710

December 28, 1978

(Revised February 13, 1979)

SYNOPSIS

During the past several years, mandatory motorcycle helmet use laws have come under attack from organized motorcyclist groups as an infringement on their individual liberties or constitutional rights. The issue has been controversial and emotional. The following study has been prepared by the Nevada Office of Traffic Safety to provide a factual analysis of motorcycle accident and helmet use experience.

Major findings of the study indicate that:

1. The chance of being killed or injured in a motorcycle accident is three times greater than that of an occupant of an automobile.
2. Of the motorcyclists involved in accidents in Nevada in 1977 who responded to a questionnaire, 64.8% indicated that they favored the mandatory motorcycle helmet law, and about 8% stated that the helmet saved their lives.
3. Various studies done before enactment of mandatory motorcycle helmet laws indicated that as many as two-thirds of all motorcycle fatalities resulted from head injuries.
4. The U. S. Supreme Court has affirmed that mandatory motorcycle helmet laws are Constitutional.
5. In a study of 22 States which repealed their mandatory motorcycle helmet laws in 1976 and 1977, motorcycle crash deaths increased 32.8% compared to 23% for the national rise between 1976 and 1977.
6. After helmet repeal in Colorado, there was a decline in helmet usage from nearly 100% to less than 60% and there was a concomitant 260% increase in the proportion of accidents with severe head injuries.

NEVADA'S
MOTORCYCLE HELMET AND ACCIDENT ANALYSIS

The mandatory motorcycle helmet law went into effect in Nevada on January 1, 1972. The following chart shows motorcycle registrations, accidents, fatalities, and injuries for the years 1970 through 1977:

<u>YEAR</u>	<u>REGISTRATIONS</u>	<u>TOTAL ACCIDENTS</u>	<u>FATALITIES</u>	<u>INJURIES</u>
1970	18,284	866	23	716
1971	19,085	698	19	566
1972*	16,089	598	9	489
1973	15,434	528	13	370
1974	16,861	583	13	533
1975	17,434	517	10	470
1976	17,926	669	25	582
1977	19,961	771	17	581
1978	20,665	---	28	---

* When the mandatory motorcycle helmet law went into effect on January 1, 1972, the legal age for riding a motorcycle was raised from 14 to 16.

Although the percent of total motorcycle accidents has been consistently less than the percentage of motorcycle registrations, the percentage of injuries and fatalities resulting from motorcycle accidents has been significantly higher than would be expected from motorcycle registrations as a percentage of total motor vehicle registrations. The following chart shows the percentage of registered motorcycles as compared to the total registrations, the percentage of motorcycle accidents as compared to all accidents, the percentage of motorcycle fatalities as compared to all fatalities, and the percentage of motorcycle injuries as compared to all injuries:

<u>YEAR</u>	<u>% OF REGISTRATIONS</u>	<u>% OF TOTAL ACCIDENTS</u>	<u>% OF FATALITIES</u>	<u>% OF INJURIES</u>
1970	4.63	3.85	8.95	9.46
1971	4.55	3.08	7.06	7.41
1972	3.76	2.54	3.47	6.00
1973	3.16	2.09	4.87	4.13
1974	3.30	2.54	6.02	6.39
1975	3.36	2.22	4.52	5.16
1976	3.16	2.55	11.16	5.71
1977	3.20	2.67	6.64	5.09
1978	3.08	----	8.97	----

In addition to the motorcyclists' overrepresentation as a percentage of fatalities and injuries, for the combined years 1970-1977, 84.97% of all motorcycle accidents involved death or injury. For the same period, less than 27.5% of all automobile accidents involved death or injury. It is clear that motorcyclists face a much greater risk of death or injury if involved in an accident than the occupant of an automobile.

Motorcycle Accident Survey

The Office of Traffic Safety conducted a survey of 814 motorcyclists involved in 1977 accidents. Of the total, 384 or 47%, responded. The motorcycle helmet law was supported by 64.8% of the injured motorcyclists. The results of the survey indicated that:

1. 96.9% wore helmets.
2. 94.3% felt head or neck injuries were prevented or lessened by the helmet.
3. 57.2% of the injured were over 21 years old.
4. 86.4% had over 1 year of motorcycle driving experience.
5. 74.3% had over 2 years of motorcycle driving experience.
6. 64.8% favored the mandatory motorcycle helmet law.
7. About 8.6% stated that the motorcycle helmet saved their lives.

In 1977, there were 771 motorcycle accidents. Of those, 60.3% of the individuals involved were over 21 years of age, 72.1% had over 1 year riding experience, and 61.5% had over 2 years riding experience. Only 11.7% of the motorcyclists suffered head or neck injuries, 46.9% injured their arms or legs, 1.9% were killed, and 25.7% involved in motorcycle accidents received no injuries.

Traffic Safety Public Opinion Survey

In June and December of 1976, and May and September of 1977, the Office of Traffic Safety distributed a traffic safety public opinion survey to ascertain how the driving public in Nevada feel and act in regard to various traffic safety issues and measures. Approximately 520 questionnaires were distributed in each of the months at the eight fixed drivers' license issuing stations in the State according to the relative percentage of total licenses issued at each station per year. These eight stations represent all the fixed drivers' license issuing stations in the State, and a total of 2,083 questionnaires were distributed and returned in the four surveys.

All persons successfully completing the requirements for a drivers' license were asked to complete the questionnaire after they had completed the requirements for a license.

The cumulative average of 76.8% of the drivers polled supported the mandatory motorcycle helmet law.

National Studies

Various studies done in the period 1960-65 (before the enactment of mandatory motorcycle helmet laws) indicated that as many as two-thirds of motorcycle fatalities resulted from head injuries. A study of motorcycle riders killed in accidents in the State of Washington in 1965 and 1966 showed that almost two-thirds died from injuries to the head or skull. /1

A study comparing motorcycle accident head injuries in Michigan (a helmet law state) and Illinois (a non-helmet law state) found that compulsory

/1 Crancer, A., "Motorcycle Fatality Study, 1965 and 1966 Data", Washington Department of Motor Vehicles, Olympia, Washington, 1967.

helmet usage in Michigan reduced fatal or serious head injury ^{By X H J B I T 0} by 63% and head injury of all types by 54%. /2

A study comparing the motorcycle fatal crash involvement rates in eight states with helmet laws (Arizona, Colorado, Idaho, Kansas, Kentucky, Louisiana, Maryland, and Minnesota) with eight states which had not adopted the law (California, New Mexico, Montana, Iowa, Virginia, Illinois, Mississippi, and West Virginia) found that the average fatal involvement rate for the eight states that enacted helmet use laws declined from more than 10 per 10,000 registered motorcycles the year before the laws' enactments to about seven per 10,000 registered motorcycles, both in the year of the laws' enactment and the following years. In contrast, the average fatal involvement rate in the eight states without a helmet law remained at about 10 per 10,000 registered motorcycles throughout the period of the study. /3

Constitutionality

In a 1972 decision--subsequently affirmed by the U.S. Supreme Court--upholding the constitutionality of a Massachusetts motorcycle helmet law, the Federal District Court for Massachusetts said:

"While we agree with plaintiff that the act's only realistic purpose is the prevention of head injuries incurred in motorcycle mishaps, we cannot agree that the consequences of such injuries are limited to the individual who sustains the injury...The public has an interest in minimizing the resources directly involved. From the moment of the injury, society picks the person up off the highway; delivers him to a municipal hospital and municipal doctors; provides him with unemployment compensation if, after recovery, he cannot replace his lost job, and, if the injury causes permanent disability, may assume the responsibility for his and his family's subsistence. We do not understand a state of mind that permits plaintiff to think that only he himself is concerned." /4

Helmet Law Status

During the past two years, over 26 states have repealed their mandatory motorcycle helmet laws. The results have been alarming.

National Highway Traffic Safety Administration figures show that 4,098 motorcyclists were killed in traffic accidents in 1977. This represents an increase of 786 over the number of cyclists killed in 1976--a startling 24 percent increase for the period.

/2 Richardson, Henri A., "A Motorcycle Safety Helmet Study", National Highway Traffic Safety Administration Technical Report, DOT HS-801 137, March, 1974.

/3 Insurance Institute for Highway Safety, Status Report, Vo. 10, No. 18, November 5, 1975.

/4 Simon V. Sargent, 346 F. Supp. 277, 279 (D. Mass. 1972), affirmed, 409 U.S. 1020 (1972).

A number of factors may have contributed to the 24 percent climb in motorcycle deaths, including an increase in miles traveled and a boost in the number of motorcycles. However, cycle registrations rose only 1 percent (the vehicle population now totals slightly over 5 million) and sales increased less than 3 percent from 1976 to 1977.

Another factor in this increase was the repeal of helmet use laws. States with repealed helmet laws are Alaska, Arizona, Connecticut, Iowa, Kansas, Louisiana, Oklahoma and Rhode Island, Colorado, Hawaii, Indiana, Maine, Minnesota, Montana, New Hampshire, New Mexico, North Dakota, Oregon, South Dakota, Texas, Utah and Washington, Delaware, Idaho, Ohio and Wisconsin.

In a study of 22 states which repealed their mandatory motorcycle helmet use laws in 1976 and 1977, motorcycle crash deaths increased 32.8%, compared to 23% for the national rise between 1976 and 1977. Of the 1976 repealer states, only Connecticut held its deaths the same (55) and only Iowa showed a reduction, by four deaths.

Special accident studies are nearing completion in four states: Colorado, Oklahoma, Kansas and South Dakota. Preliminary findings in these studies reconfirm the protective value of helmets. They indicate that the chance of fatal and head injury appears to be at least four times greater for the unhelmeted motorcyclists. Head injuries were the most frequent single cause of death for both helmeted and unhelmeted riders, but the incidence of head injury was much lower for the helmeted riders.

Other findings from the Colorado study show that after repeal:

- There was a decline in helmet usage from nearly 100 percent to less than 60 percent,
- There was a 260 percent increase in the proportion of accidents with severe head injuries,
- There was an increase in rider fatalities from 14 per 1,000 riders in reported accidents to 22 per 1,000 riders.

Additional data on fatalities and registration compiled by the National Highway Traffic Safety Administration and Federal Highway Administration show that in Colorado there was an increase from 3.4 in 1976 to 6.3 in 1977 in the rate of motorcycle fatalities per 10,000 registered vehicles.

Preliminary results of a University of Southern California study of 970 motorcycle accidents show that the chance of serious or fatal head injuries is five times greater for unhelmeted motorcyclists in the Los Angeles area.

Not one case in the Los Angeles study was found where the helmet caused an accident by impairing hearing or vision (as is sometimes claimed by opponents of use laws), nor were helmets responsible for causing any type of injury other than in severe impacts where some minor skin burns

resulted from the chin strap. /5

Other States

California

Helmeted motorcyclists in crashes received 23 percent fewer head injuries than those who wore no helmets. The 60 percent of the crash-involved motorcyclists who were helmetless accounted for 85 percent of the deaths, whereas the 40 percent who were wearing helmets accounted for only 15 percent of the deaths.

These were key findings of a study, sponsored by the National Highway Traffic Safety Administration (NHTSA), of 900 motorcycle crashes in the Los Angeles area during the past 30 months. The study, directed by Harry Hurt of the University of Southern California, was designed to determine the cause of motorcycle crashes and the causes and severity of injuries and to suggest ways to reduce the human and property losses involved.

Part of the study was a series of interviews with motorcyclists involved in crashes, which showed that, in the opinion of the majority of the respondents, helmets did not limit hearing or vision in motorcycle operation. In the same survey, the helmetless group was asked why they wore no headgear. Thirty-eight percent answered that they did not expect to be involved in crashes, 26 percent said they wore no helmets because of inconvenience, and 15 percent said simply that they did not have helmets with them. (Helmet use is not required in California.)

Fifty-one percent of the crashes investigated were caused by motorists who said they either did not see the motorcyclist or did not see the rider until it was too late. A motor vehicle turning left into the path of a motorcyclist was involved in 45 percent of all crashes. (California does not require daytime use of headlights on motorcycles.)

Other preliminary findings on motorcyclists involved in crashes were:

- More than half of the drivers had less than six months experience with the particular motorcycle involved in the accident, although the overall motorcycle-riding experience of that group was more than three years.
- Motorcyclist alcohol consumption was involved in 12 percent of all studied crashes and in about 53 percent of the fatal crashes.
- Over 50 percent of the motorcyclists involved were between the ages of 16 and 23.
- Approximately 12 percent of the cyclists either had no license or were riding with a revoked license.

/5 National Traffic Safety Newsletter, September-October, 1978

- About 4 percent of the motorcycle drivers involved were female, although women constitute only 2 percent of the cycle population.
- Sixty-two percent of the motorcycles' fuel systems were leaking after the crash. /6

Oregon

Oregon repealed its mandatory motorcycle helmet law on October 4, 1976. From 1976 to 1977, motorcycle fatalities went from 43 to 74, a 72% increase. This was the highest motorcycle death toll in Oregon's history. /7

Washington

During the first eight months of 1978, 83 motorcyclists were killed on Washington State's streets and highways. Fifty-two of these were not wearing helmets; 31 were wearing the protective devices. These fatalities were 35 more than recorded for the first eight months of 1977, when the mandatory helmet law was still in effect.

In addition to these deaths, there were two fatal collisions involving motorcycles during the past Labor Day Holiday weekend. Three motorcycle riders were killed--two of the three were not wearing protective head gear at the time of the collision.

(Reprinted from State of Washington Traffic Safety Newsletter)

Idaho

The Idaho Traffic Safety Commission recently completed a survey of motorcycle accident victims. The survey results were well documented, and based on a 35.9% return. Because this rate of return was consistent, the population was considered to be representative.

The overwhelming response in favor of the mandatory motorcycle helmet law yields the solid conclusion that advocates of repeal of the motorcycle helmet law are definitely not representing the accident experienced motorcyclists and very probably not speaking for the motorcycling public.

/6 Insurance Institute for Highway Safety, "Status Report", November 17, 1978.

/7 Telephone Conversation with Oregon Office of Highway Safety, January, 1979.

The results of the survey relating to the value of motorcycle helmets support the conclusions that helmets do save lives and reduce injury severity, that helmets have very little influence on increasing danger of neck injury, and that helmets seldom reduce hearing or vision to the point where they are an accident cause or even contributor. There is still room for improvement in helmet design in areas of weight, acoustics, and visibility. Studies by the National Highway Traffic Safety Administration have found that full coverage helmets (the most common in use) provide less than 3% lateral vision restriction from unhelmeted vision, and that a helmeted motorcyclist can hear a sound of interest as well as the driver of an automobile with the windows closed.

Although the early motorcycle helmets might have provided some substance for the arguments on hazards of the helmet, the analysis of helmet effect on accidents and injury severity identifies these arguments as persistent myths. On the basis of the very few neck injuries, primarily in the minor non-incapacitating or non-evident injury accidents, a logical conclusion is that when helmeted motorcyclists acquired neck injuries, it is highly probable that the helmets prevented much more severe head injuries. The results of a survey indicated that:

1. There were 7.67 motorcyclists strongly in support of the mandatory helmet law for every 1 strongly opposed to the law.
2. Of motorcyclists who commented on the mandatory helmet law, 77.3% were in favor of the law.
3. Of motorcyclists who wore helmets, 84.7% indicated that the helmet reduced injury and 8.7% voluntarily added that it saved their lives.
4. Neck injuries were very rare in the severity A (incapacitating) injuries.
5. Over half of the respondents were at least twenty years old.
6. Motorcyclists over 35 years old comprised 20.7% of the respondents.
7. A few motorcyclists (2.6%) had less than one month motorcycling experience, but 75.6% had more than one year motorcycling experience. /8

Idaho's motorcycle helmet law was rescinded on April 1, 1978.

Motorcycle deaths more than doubled in Idaho between March 29 and September 30, 1978, compared with the same six month period the year before.

Twenty-four motorcycle deaths occurred in the six month period after repeal of the law, as compared with ten in the same period in 1977. Of the 24 killed in 1978, two-thirds were not wearing helmets. /9

/8 IDAHO, State of. A Study of Idaho Motorcyclists Injured in 1974 Accidents. Transportation Department. Traffic Safety Commission. (Boise, Idaho). January, 1976.

/9 National Highway Traffic Safety Administration Newsletter, December, 1978.

Minnesota

EXHIBIT D

In 1976, Minnesota motorcycle crashes killed 55 operators and two passengers. The record 1977 death count is 50 per cent higher than the previous high of 63 killed in 1975 and 1973.

The 1977 motorcyclist fatality rate was the highest ever at 6.2 deaths per 10,000 registered cycles, compared to the 1976 rate of 3.98 fatalities per 10,000 cycles. For all other vehicles, the 1977 death rate was 1.88 per 10,000 registered vehicles.

Of the 87 operators and seven passengers killed in 1977, data shows that 62 were not wearing helmets and 37 of those died of head injuries. In comparison, only 10 cyclists who were wearing helmets died of head injuries.

Minnesota's mandatory helmet law was repealed April 7, 1977, after being in effect nine years. Under the repeal, helmets are still required for cycle operators under 18 years and persons on learner permits.

In repealing the helmet law last year, the legislature also ordered the Public Safety Department to study effects of the repeal law on motorcycle crash injuries and fatalities and to submit findings no later than November 1979.

A preliminary report, which included physicians' analysis of serious injury cases in 1977, also showed that cycle riders not wearing helmets had doubled the number of head injuries and their injuries were twice as severe as were head injuries among helmet wearers.

Motorcyclists between 18 and 21 years had 44 per cent more deaths in 1977 than 1976. Cyclists 18 and under-still required by law to wear helmets-experienced 8 per cent fewer deaths in 1977 than 1976.

Kansas

Preliminary data from Kansas following repeal of their helmet law has indicated that:

- the incidence of head trauma increased by 70%
- the incidence of head trauma is 81% greater for those not wearing a helmet at the time of accident, than for those wearing a helmet, and
- the severity of head injury is 56% greater for those suffering head injuries without benefit of helmets, than for those who are wearing a helmet at the time of injury.

The study concluded that:

- The crude death rate for those not wearing a helmet at the time of the accident is 310% greater than the death rate for those wearing a helmet at the time of accident.

Texas

Texas motorcycle deaths more than doubled in the final four months of 1977 after the repeal of the state's mandatory helmet use law, according to information contained in the American Association of Motor Vehicle Administration Bulletin.

Other Editors Say/Cycle Magazine

Crashing

EDITORS NOTE: This editorial from Cycle Magazine should be required reading for all State Legislators. It might even help if all motorcyclists would also read their own magazine.

My college roommate, John Loughlin, plunged his BMW 250 single over an embankment and crashed; then a free-swinging exhaust header pipe wedged against the rear of the front fender and caused the bike to fall to earth and slide beneath a parked car; then John ran a red light in Philadelphia and T-boned the right rear side of a police car; and finally he ran off the road in Mechanicsville, Pa., blasted through a post-and-rail fence and crashed in a pasture, narrowly missing some cows and breaking his left hand.

My father pisted himself and his Suzuki X6 Hustler on the side of a bread truck that had made the classic left turn from the oncoming lane.

Cycle's Art Director, Paul Halesworth, waded up a Honda 450 when the same thing happened to him as happened to my father.

Phil Schilling slipped an experimental Honda into a roadside ditch a couple of years ago and broke his leg and shoulder.

Motorcyclist's current Editor, Dale Boller, was run off the street once by a truck and broke a toe, a camera and a perfect record.

David Hansen crashed in heavy freeway traffic when a lady in a car made an illegal lane change.

His brother fell on a windswept, sandy mountain road, narrowly missing an oncoming semi and two cars.

Mark Hornchick went down as a result of misjudging either his speed, traction conditions or the severity of the corner, hit a curb, and broke his back.

Jark Kohr found himself going just the littlest bit too fast in traffic, and stabbed a Kawasaki Z-1 into the back of a car.

John Stein crashed his Honda CL90 three times: once in a moss-lined puddle, once in pine needles, and once in oil.

Peter Vamvas overshot a stop sign and was killed.

Norm Urban and his BMW were rear-ended by a drunk in a car.

Dick Lague was just about totalled by an oncoming car that was on the wrong side of the road.

Bart Muhlfeld spun out a Kawasaki during a photo session for crash No. 1, and got behind on his steering and ditched a 750 Suzuki for crash No. 2.

Barbara Stepp parted company with her 250 Yamaha many times, the most vigorous of which took place on Latigo Canyon Road when she missed her line and cartwheeled into an embankment.

Gordon Jennings pilled up a knucklehead Harley-Davidson on sandy pavement, sent a 11h-yvunking down a ravine, and crashed in a ditch avoiding a circus wagon after getting his Ducati sideways in some horse-droppings.

Tom Sargent touched the front brake lever of a Suzuki 750GT negotiating a low-speed turn on wet pavement, lost the front end, and knocked himself all but silly.

Bill Stermer washed out his Honda 350CL making a transition from a paved to a dirt road.

Don Phillipson scratched up a Yamaha DT100 attempting to avoid a sewer line excavation which had appeared mysteriously across a street he knew intimately; and spun out a Suzuki SP370 when he encountered a stream running across a stretch of what until then had been dry pavement.

Dr. John Crowder ground up a perfectly useful Ducati 750 SS when he ran out of cornering clearance.

T.C. Browne has fallen over many times. Most recently he dropped a Honda CB550 on his foot in the Seychelles.

Jerome Pererra wobbled into the concrete of the Ventura Freeway and lost the seat out of his snappy CHP jodpurs.

Jim Dickenson had the same thing happen to him as happened to Dick Lague: he got clipped by oncoming traffic. Only the oncoming wasn't a car; it was another motorcycle. Two out of three died.

Art Friedman crashed a Honda 160 twice, a Honda 450 three times, and one each DS7 Yaaha, 111 Kawasaki, Honda Hawk, BMW R75, Yamaha RD350 and Yamaha XS Eleven.

Robin Riggs has tilted his Honda CB400F twice. Once it fell over going around a corner, and once he was looking at a girl and ran into the back of a car.

Howard Hodges ran his Suzuki 500 Titan off its tires at least once.

Jess Thomas rearranged the decor of the first Moto Guzzi Sport in the United States when he crashed after colliding with a dog.

Sam Moses' most celebrated crash was on a Yamaha 650. It was a Cycle Guide test bike, and crashed repeatedly in front of a photographer.

Me? I crashed my Vespa motor scooter three times getting it home from where I bought it, and the wrecked it another dozen times before I sold it to pay for the

damage done to a Saab which suddenly found itself at the bottom of a drainage ditch. Later I crashed my Harley-Davidson Sportster twice, then: a Suzuki 250; a Kawasaki 500; and a Honda 550.

Everybody I know who has spent any time at all riding a motorcycle on the street has crashed. Getting off is the inevitable, inescapable consequence of getting on. It makes no more sense to expect a crashfree motorcycle riding career than it does to expect to play a set of tennis without hitting one into the net, or a game of pool without blowing your position, or ten rounds of boxing without catching one in the nose. You ride bikes; you crash.

Now tell me this, all you "It can't happen to me"-ers: suppose you awake this Tuesday suffused with the absolute knowledge that at 10 a.m. you will have a crash on your motorcycle. The certainty of it is overwhelming; as you break into perfect consciousness you can practically feel the thumps, the scrapes, the scratches and the burns; the forlorn, smoking wreckage of your motorcycle is palpable in the mind's eye.

Got that? Now. How will you prepare for the morning's ride, knowing there will be a crash at 10 a.m., knowing you will be the feature attraction? If you really believe that swill about helmets obscuring one's vision, helmets leading to strangulation, helmets causing one's neck to snap and helmets impairing one's bearing, then I suppose you will venture out of your house, onto your motorcycle and toward your crash bare-headed.

But if not—if you can imagine your head ping-pong off some blue-haired lady's front fender; or thwacking crisply into the pavement, or glancing off a parking meter pole; if you can imagine what it will feel like to take a truly thundering shot to the temple; if you can imagine how the outside world will look through eyes that no longer communicate to a functioning cognitive apparatus—then I believe that faced with the inevitability of your 10 a.m. crash, you will put on your helmet and buckle up tightly.

Ah, you're thinking, but of course. Faced with an inevitable crash, naturally I will wear a helmet. But who says a crash is inevitable?

You think it isn't? Why should you be different from Loughlin, my father, Halesworth, Schilling, Boller, the Hansen brothers, Hornchick, Kohr, Stein, Vamvas, Urban, Lague, Muhlfeld Stepp, Jennings, Sargent, Stermer, Phillipson, Crowder, Browne, Pererra, Dickenson, Friedman, Riggs, Hodges, Thomas, Moses, or me? Why should you be special?

COOK NEILSON

TESTIMONY AGAINST CHANGE IN HELMET LAW--AB 11

Transportation Committee--Assembly Tuesday, Jan. 30, 1979

By - Wally Kurtz - Nevada Parent Teacher Association

Since 1969, the Nevada Parent Teacher Association has supported the Helmet Law and we reaffirmed that position during the Legislative Sessions of 1971, 1973, 1975 and 1977. Today our position stands more solid than ever as representatives of the nearly 27,000 members of the PTA across the state oppose AB 11, which would render the present Helmet Law virtually useless.

To eliminate the helmet requirement for persons over the age of eighteen years, would be tantamount to the elimination of helmets for nearly everyone except the very young. We, as parents and teachers, know that young people pattern much of their behavior after adult role models and it is not wise to assume that teenagers under eighteen will wear helmets when their role models are not required to wear them.

The most obvious flaw in this compromise bill is the difficulty of properly identifying the age of a motorcyclist. It is almost impossible to distinguish between a sixteen year old and an eighteen year old when they are standing still side by side, let alone when going down the highway at forty-five miles an hour. We feel that this fact would make the law unenforceable and within a short time the entire law would become a farce.

We, in the PTA, have heard the arguments about the individual rights of older motorcyclists, but we also are aware that individual freedom ends with the tip of the other fellow's nose. If the statistics about death and permanent head injury affected only those with the injuries or who die, it might be another matter, but the fact is that society as a whole is affected by almost every death and injury resulting from a motorcycle accident. The Federal District Court of Massachusetts, which was later affirmed by the U. S. Supreme Court, said it best. "From the moment of the injury, society picks the person up off the highway, delivers him to a municipal hospital and municipal doctors; provides him the unemployment compensation, if, after recovery, he cannot replace his lost job and if the injury causes permanent disability, may assume the responsibility for his and his family's subsistence. We do not understand a state of mind that permits plaintiff to think that only he himself is concerned."

Several states have gone through the process we are now going through and have made the error of compromising the law without proper thought of the eventual outcome. In twenty-two such states the death rate from motorcycle accidents has increased to 32.8% compared to 23% increase nationally during the same period of time.

Following the repeal of the Helmet Law in Colorado, the use of

helmets dropped from almost 100% usage to less than 60% and the increase of severe head injuries in motorcycle accidents zoomed upward by 26%, all of this following the pleas of responsible adult motorcyclists who swore that they were not fighting the concept of wearing helmets, only the fact that it was to be mandated. In most hearings, all motorcyclists attest to the fact that they will continue wearing helmets, yet the statistics in states which have accepted these pleas in good faith and repealed the helmet laws, have been so appalling, that many of these same states are now fighting to put the law back on the books.

The thrust of our concern, as a PTA, is to protect our children and we firmly feel that the helmet law must remain as it is because the unenforceability of AB 11 is obvious. Our children look to older teenagers and adults for guidance and when their older friends and relatives doff their helmets, so will the fifteen year old and no police officer will be able to identify the fifteen year old from his eighteen year old companion. It will do little good to ticket the fifteen year old rider after the accident.

The PTA looks to you to use judgment which protects the majority and not be swayed by a minority of our citizens who cloud the issue with freedom of personal choice when this issue is so much more far reaching than anyone of them realizes.

I AM VERY HAPPY TO HAVE THIS OPPORTUNITY TO BE HERE TODAY AND I WOULD LIKE TO SAY THAT I AM ONE HUNDRED PERCENT IN FAVOR OF WEARING CRASH HELMETS WHILE RIDING MOTORCYCLES AND MOPEDS.

FROM MY OWN PERSONAL EXPERIENCE, I CAN STATE MOST ASSUREDLY, THAT IF I HAD NOT BEEN WEARING MY HELMET AT THE TIME OF MY ACCIDENT, I WOULD NOT BE ALIVE TODAY AND SPEAKING TO YOU IN THIS ROOM.

LAST YEAR WHILE RIDING MY CHAPPY YAMAHA, I WAS STRUCK BY A MOVING VEHICLE AND WAS THROWN INTO THE AIR AND LANDED CRUMPLED ON THE HIGHWAY I RECALL VIVIDLY THAT MY HEAD STRUCK THE HIGHWAY AT LEAST 4 TIMES, BECAUSE I REMEMBER COUNTING THEM AND SAYING TO MYSELF, "OH MY GOD, HE HIT ME."

I WAS INJURED AND HAD AN OPERATION. I NOW WALK WITH A LIMP. I STILL HAVE PAIN AND THE EXPERIENCE HAS IMPAIRED MY HEALTH, NOT COUNTING THE COST IN MEDICAL BILLS, ETC., AND THE PAIN AND SUFFERING INDURED BY BOTH MY DAUGHTER AND MYSELF. I WISH TO REMIND YOU THAT SOMETIME PRIOR TO THIS ACCIDENT, I WAS RIDING MY CYCLE WITHOUT MY HELMET ON AND WAS COURTEOUSLY INFORMED BY A NEVADA HIGHWAY PATROLMAN TO WEAR IT AT ALL TIMES.

THERE IS NO DOUBT IN MY MIND THAT I WOULD BE 6 FEET UNDER TODAY IF I HAD NOT HAD THAT HELMET ON MY HEAD. I CONSIDER MYSELF EXTREMELY LUCKY. TRUE, HELMETS ARE CUMBERSOME AND TO A WOMAN UNATTRACTIVE. HOWEVER, THE HELMET I WORE SAVED MY LIFE.

AT THIS TIME I WOULD LIKE TO STATE I CAN OPERATE A CLASS 3 AND 4 VEHICLE. I DO NOT DRINK, SMOKE, OR TAKE DRUGS IN ANY FORM. I HAVE DRIVEN A CAR HERE IN NEVADA AND I FIND IT DIFFICULT TO BELIEVE THAT PEOPLE WHO OPERATE CARS AND TRUCKS CLAIM THAT THEY CANNOT SEE BICYCLES AND MOTORCYCLES ON THE ROAD, YET I CAN SEE THEM QUITE CLEARLY.

TO ME, IT SEEMS THAT THERE IS A LACK OF COMMON COURTESY AND RESPECT ON THE HIGHWAYS, OR LACKING THAT, THEY MUST BE UNDER THE INFLUENCE OF SOMETHING, OR VERY SELFISH PEOPLE IN A HURRY OBLIVIOUS TO OTHERS AROUND THEM.

PERSONALLY, IF I HAD MY WAY, EVERYONE IN THIS COUNTRY WOULD LEARN TO

OPERATE A MOTORCYCLE OR BIKE BEFORE OPERATING A CAR.

E X H I B I T 6

ANY CYCLIST IS VULNERABLE, THERE IS NO PROTECTION, AND THAT IS WHY I STRONGLY URGE THE ENFORCEMENT OF WEARING HELMETS. AGAIN, I STRESS I BELIEVE THAT I WOULD NOT BE HERE TODAY IF I HAD NOT HAD MY HELMET ON MY HEAD.

ALSO, AT THIS POINT, I WOULD LIKE TO EXHIBIT MY HELMET FOR INSPECTION. IT SPEAKS FOR ITSELF.

THANK YOU FOR LETTING ME STATE MY CASE.

GOVERNOR'S YOUTH TRAFFIC SAFETY ASSOCIATION

AT THE 17TH ANNUAL GOVERNOR'S YOUTH TRAFFIC SAFETY CONFERENCE HELD IN OCTOBER OF 1978, 91 HIGH SCHOOL STUDENTS REPRESENTING 29 HIGH SCHOOLS THROUGHOUT OUR STATE UNANIMOUSLY PASSED THIS RESOLUTION SUPPORTING NEVADA'S MANDATORY MOTORCYCLE HELMET LAW AND RECOGNIZED THE HELMET AS A LIFE SAVING DEVICE.

RESOLUTION

WHEREAS, it has been repeatedly demonstrated that a significant number of highway fatalities and disabling injuries can be prevented and the severity of head injuries reduced by the use of safety helmets by motorcycle operators and passengers, and

WHEREAS, the law requiring motorcycle operators and passengers to wear safety helmets has been upheld by both State and Federal Court in principal and operation, and

WHEREAS, many of the states have repealed or weakened laws requiring motorcycle operators and passengers to wear protective headgear resulting in a tremendous increase of injuries and deaths in those given states, and

WHEREAS, the implied and expressed objective of the highway safety program and this Conference is to reduce the enormous death and injury loss on the nation's highway irrespective of a minority of people who profess a right to self destruction,

NOW, THEREFORE BE IT RESOLVED, that the Governor's Youth Traffic Safety Association go on record to support the mandatory motorcycle helmet laws and program efforts to increase utilization of motorcycle helmets

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 4

ASSEMBLY BILL NO. 4—ASSEMBLYMAN HARMON

JANUARY 15, 1979

Referred to Committee on Transportation

SUMMARY—Removes requirement for law enforcement agency to maintain records of disposition of traffic citations. (BDR 43-626)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.



EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to traffic laws; limiting the time that law enforcement agencies must maintain records of the disposition of each traffic citation by the court or its traffic violations bureau; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 484.813 is hereby amended to read as follows:
2 484.813 1. Every peace officer upon issuing a traffic citation to an
3 alleged violator of any provision of the motor vehicle laws of this state or
4 of any traffic ordinance of any city or town shall deposit the original or
5 a copy of [such] *the* traffic citation with a court having jurisdiction over
6 the alleged offense or with its traffic violations bureau.
7 2. Upon the deposit of the original or a copy of [such] *the* traffic
8 citation with a court having jurisdiction over the alleged offense or with
9 its traffic violations bureau, [such original or copy of such] *the* traffic
10 citation may be disposed of only by trial in [such] *that* court or other
11 official action by a judge of [such] *that* court, including forfeiture of the
12 bail, or by the deposit of sufficient bail with, or payment of a fine to
13 [such] *, the* traffic violations bureau by the person to whom [such] *the*
14 traffic citation has been issued by the peace officer.
15 3. It is unlawful and official misconduct for any peace officer or
16 other officer or public employee to dispose of a traffic citation or copies
17 [thereof] *of it* or of the record of the issuance of a traffic citation in a
18 manner other than as required in this section.
19 4. The chief administrative officer of every traffic enforcement agency
20 shall require the return to him of a copy of every traffic citation issued by
21 an officer under his supervision to an alleged violator of any traffic law
22 or ordinance and of all copies of every traffic citation which has been

Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 200

SENATE BILL NO. 200—SENATOR KOSINSKI

FEBRUARY 9, 1979

Referred to Committee on Transportation

SUMMARY—Provides for extension of parking spaces for use only by handicapped and authorizes enforcement. (BDR 43-937)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.



EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to traffic laws; providing for extension of the designation of parking spaces for use only by handicapped persons; authorizing cities and counties to prohibit parking of vehicles in such spaces without the appropriate permit or plates; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. Chapter 484 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.
3 SEC. 2. *Cities and counties shall establish by ordinance a reasonable*
4 *number or proportion of parking spaces which must be designated and*
5 *made available for the handicapped in each parking area adjacent to a*
6 *public building or a private building to which the public is invited.*
7 SEC. 3. *Cities and counties may enact ordinances prohibiting a per-*
8 *son from parking a vehicle in a parking space designated for the handi-*
9 *capped if the vehicle does not have displayed on it a special parking*
10 *permit or special plates issued to a handicapped person by the department*
11 *of motor vehicles. Such a prohibition may be made applicable to parking*
12 *areas to which the public is invited as well as parking areas owned by the*
13 *public.*
14 SEC. 4. This act shall become effective upon passage and approval.