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**A Vote for Freedom  
of Choice  
Support SB 274**

**NEVADA**

**The Level of Protection Does Not Warrant  
the Mandatory Requirement**

**IT'S IN YOUR HANDS  
COMMON MYTHS  
A COMPREHENSIVE APPROACH TO MOTORCYCLE SAFETY  
AT WHAT PRICE FREEDOM  
RISK MANAGEMENT  
HISTORY OF HELMET LAWS  
WHO ARE MOTORCYCLISTS?**

## **Who are Motorcyclists?**

Today's motorcyclists are likely to be your neighbor down the street, your attorney, banker, co-worker, doctor, or even your mother-in-law or minister.

Motorcycling has become a recreational pastime for millions of Americans.

Statistics in 1998 revealed that:

- Over half (59%) of all motorcyclists were married and 49% had achieved some college or post graduate education.
- 12.7% were laborers or semi-skilled laborers, 15.3% were mechanics or craftsman, and 31.3% held professional or technical positions.
- Of all motorcyclists indicating their household incomes, the average income for 1998 was \$44,250 compared to \$17,500 for the year 1980.

Nevada's motorcyclists are in fact just men and women who find the sport of motorcycling an enjoyable pastime.

Currently in Nevada we have approximately 35,000 registered motorcycles.

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HISTORY OF HELMET LAWS**

## ***Federal and Nevada History***

In 1966 the Federal Government issued a law requiring all states to pass mandatory helmet laws. The Federal Government threatened to withhold millions of dollars in highway funds from those states that refused to enact these freedom restricting laws. Every state except California complied. Utah enacted a law for speeds over 45 MPH, and Illinois found their law in violation of their state constitution. Nevada held out until 1971.

In 1976, Congress revoked Department of Transportation authority to impose fiscal sanctions against states that refuse to enforce helmet laws. Nearly half the states soon repealed their mandatory helmet laws or amended them to exclude most adults. Nevada is 1 of only 20 states that continues to have mandatory helmet laws.

Education will continue to play the key role in reducing the accident rates of Nevada's motorcyclists.

## ***Anatomy of the Federal Helmet Test***

Ever wonder how motorcycle helmets are tested? Most people believe that motorcycle helmets are put through the same rigors as automobile components that they see on T.V. Not So. The test that motorcycle helmets are subjected to consists of a six foot vertical drop with a head form strapped into the helmet. The helmet impacts the floor at 13.43 MPH. Even at these low impacts, 52% of the helmets tested by Department of Transportation since 1974 failed. Only ONE helmet passed since 1984. (and you wonder why we feel helmets can as easily cause injury as prevent it?)

IT'S IN YOUR HANDS

COMMON MYTHS

A COMPREHENSIVE APPROACH TO MOTORCYCLE SAFETY

AT WHAT PRICE FREEDOM

RISK MANAGEMENT

## ***We are a Nation of Risk Takers***

As Americans we are a nation of risk takers. Our every day lives are filled with personal decisions during work and into our daily recreational activities. We purchase items and partake of recreational agendas, that to some are sheer insanity. Why anyone would jump out of an airplane or strap two slats on ones feet to hurtle down a ski slope at break neck speeds is "beyond my comprehension." But to some the thrill is worth the risk. Some scuba dive, climb mountains, race cars, ski down mountains and still others risk no more than their daily trips to and from work.

We accept the fact some smoke and some drink, on the most part, as normal behavior. We condemn the drug user, and fund the treatment program. Should we do any less? **NO! WE ARE AMERICANS.** We expect that each such user will use the necessary amount of restraint that guarantees their survivability while allowing them their right to make those decisions. Arguably the role of government is to do for the public that which they cannot or will not do for themselves.

## ***Sometimes the Government Makes a Mistake***

A case in point: The federal government decided to step in and mandate motor vehicles be equipped with a new device aimed at reducing the injuries in crashes. At first, what was an item that consumers were able to freely choose, was then, required by law. AIR BAGS, first driver side then passenger side, were mandated by federal law. We no longer had the ability to make the decision for ourselves. Soon, it became evident there was a problem, it seemed children and small adults were being killed by the very device designed to save them. Even required by law. The benefits of air bags are well known, they have saved the lives of many people. However, those same air bags have also caused the deaths of many. The victims are usually women and children. The government reacted on January 19, 1998 by allowing motorists to petition the federal government to install a deactivation switch if they felt that they were at risk from the very safety device that was supposed to insure their well being. They asked for and received permission to have the devices disconnected.

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# **Will Nevada Taxpayers Bear the Costs? NO!**

## **NHTSA CODES Study**

In 1996 the U.S. Department of Transportation through the National Highway Traffic Safety Administration, produced a study called The Crash Outcome Data Evaluation System (CODES). This study indicates that the difference in medical costs between helmeted and un-helmeted riders, that relied on public funds was only \$1,132:00.

## **Arizona GOHS Study**

The Arizona Governor's Office of Highway Safety (GOHS) awarded contracts to Samaritan Health System Office of EMS Education/Research and the Good Samaritan Regional Medical Center/Trauma Service to conduct an analysis to determine injury severity and general costs related to motorcycle helmet use v. non-use in the general population.

**Briefly, here's what the medical researchers concluded from their findings:**

- Patients with or without helmets are dying as a result of their injuries in approximately the same proportions as in the overall motorcycle accident population.
- There was no appreciable difference in the length of hospital stay between the no helmet and helmet groups.
- A review of actual injuries revealed that the most frequent injuries were orthopedic.
- By all measures, (hospital stay and charges, discharge status, fatality rate) there was little difference between individuals wearing helmets at the time of their accident and individuals who were not wearing helmets.
- The Arizona Governor's Office of Highway Safety concluded that there was no appreciable difference concerning the relative number of fatalities, or severity of injuries, between motorcycle accident victims who wore helmets and those who did not.

**IT'S IN YOUR HANDS**

**COMMON MYTHS**

**A COMPREHENSIVE APPROACH TO MOTORCYCLE SAFETY**

## **Educate to Avoid the Accident**

*In 1966 helmet laws were introduced and motorcyclists cried foul.*

In 1966 there was little evidence to dispute the claims, and few if any education programs designed to reduce accident involvement. Motorcyclists got together, got involved and came up with a comprehensive training program to educate themselves and the general public in an effort to reduce the number of accidents. Nevada, like most states, now has rider education programs available for experienced and beginning riders. This approach, protection through education, makes the most sense and produces the best results. Motorcyclists can now boast of the most improved accident rates of any highway user today.

## **A Helmet Has Never Prevented an Accident**

*Mandatory helmet laws have major logic flaws, first a helmet has never prevented an accident, and second they legislate the victim. In 66% of accidents involving motorcyclists, the motorcyclist's right of way was violated.*

## **It Makes More Sense to Avoid the Accident**

We advocate stronger training and will continue to push for "Share The Road Programs," designed to educate both motorcyclists and other motorists as to their shared responsibilities.

# IT'S IN YOUR HANDS COMMON MYTHS

## Common Myths About Helmets

### 1) *That If You Wear a Helmet You'll Survive*

A properly fitted helmet does offer a very small window of relief from the forces at work during a crash, however, most helmets would not qualify as properly fitted. Helmets only come in 4 general sizes (heads in those helmets come in many shapes and sizes). In the event that a helmet comes in contact with something during a crash, the forces during impact are dissipated into the one-inch lining of the helmet. Using a Newton equation of  $KE=1/2 w/g$  (at) 2) a one-inch styro-lined helmet absorbs the kinetic energy of 4 MPH. In order to absorb the kinetic energy encountered during a 40 MPH crash the helmet would have to be 29 inches thick. It is of interest to note that over 90% of all helmets sold in the U.S. are manufactured outside the United States to avoid product liability suits.

### 2) *That a Helmet Has No Effect on Vision or Hearing*

The Speech and Hearing Clinic, University of Utah, in audiometric evaluation testing found that (using a Bell 500 TX helmet), there was moderate to severe hearing loss when sounds were presented to individuals with the helmet on. This deficit can have a major effect in decisions of locating sound directionality. Additionally, Utah Department of Public Safety, Utah Highway Safety Division sought a two year waiver from the mandatory helmet requirement in 1974. Please see additional findings at the bottom of this page. NHTSA found helmets reduced peripheral vision by 22%, but concluded 76% of riders compensated by turning their heads more. (24% suffered through the reduction of vision).

### 3) *That a Helmet Does Not Cause Spinal Cord Injuries*

In 1986, the Colorado Department of Health printed the first annual report of the Colorado Spinal Cord Injury Early Notification System. The report shows that of 5 individuals receiving spinal cord injuries, one was not wearing a helmet and 4 were wearing helmets. In 1988, "they did not differentiate" between helmeted and non-helmeted riders.

Additional note from the Utah Study: Impact speed is high correlated with head injury severity, but comparisons between head injury severity and helmet use at various levels of impact speed gave no evidence that helmets reduced head injury severity. 6% of fatal crashes involved motorcyclists. Motorcycle crash injuries involving head injury also are likely to involve other body parts: 56% involved trunk injury while 34% involved head injury.

### 4) *That Motorcyclists are Irresponsible and are Most Likely to be Un-Insured Thereby Relying on Public Funds if Injured*

The next time your driving, take a good look at that motorcyclist in the next lane. Statistically the motorcyclist is as likely as you to vehicle insurance (96%) and to have some form of health coverage (80.3%).

### 5) *That Without a Mandatory Helmet Law the Taxpayer Foots the Bill*

Taxpayers are less likely to pay for injuries to non-helmeted motorcyclists than any other form of transportation user, including pedestrians.

(Technical data provided by a report from Michael E. Holt, P.E., Pres. American Eagle Engineering, LTD Registered Engineer in Ca., Co., Neb., N.M. and WY.)

pg. 7 of 8



## **Conclusion**

Motorcyclists are as likely to have insurance as any other form of highway user.

Motorcyclists themselves are able to make intelligent, informed decisions about their personal safety and training needs.

They should be given the freedom to do so.

Motorcyclists over the past few years have improved their safety records and survivability better than any other form of road user.

Today, 30 of the 50 states allow adult riders the freedom to make their own choices regarding helmet use.

Nevada Motorcyclists should be given the freedom already allowed in 30 other states to make their own choices regarding helmet use.

**Support Nevada Motorcyclists'  
Right to Choose  
Support SB 274**

**A Vote for Freedom**