

HB 165 -- MOTORCYCLE HELMETS

SPONSOR: Dusenberg

COMMITTEE ACTION: Voted "do pass" by the Committee on Transportation by a vote of 11 to 3.

This bill requires only persons younger than 21 years of age to wear protective headgear when operating or riding as a passenger on any motorcycle or motortricycle. Currently, all motorcyclists are required to wear protective headgear.

FISCAL NOTE: No impact on state funds in FY 2010, FY 2011, and FY 2012.

PROPOSERS: Supporters say that the bill is an issue of freedom and the right of adults to make their own choices. Repealing the helmet law will not result in the loss of any federal tax money. Missouri can increase tax and business revenue by increasing the number of riders that may otherwise avoid Missouri because of the restrictive helmet law. Economic studies estimate tourism dollars will increase an additional \$3 million by repealing the helmet provisions.

Testifying for the bill were Representative Dusenberg; Ty Cashell, Gregory L. Mullanix, Donald Vandegriffe, Katherine Cashell, William Kempker, Steven Summors, Terri Kempker, Douglas Pfeiffer, Martin King, and Bill Wooten, Freedom of Road Riders; Terry Cook, American Motorcyclist Association; Dean Gunter and Edward Sheperd, ABATE of Missouri; and Joseph Bryan.

OPPOSERS: Those who oppose the bill say that head injury is the leading cause of death in motorcycle accidents and keeping the helmet requirement protects Missouri lives. While appropriate headgear does not prevent every head injury, the National Highway Traffic Safety Administration reports that helmets are 67% effective in preventing brain injuries. Motorcycle riders are 37 times more likely to die in an accident than automobile drivers. It has been proven that helmet laws increase helmet usage which in turn saves lives and reduces head trauma injuries.

Testifying against the bill were Highway Safety Division, Department of Transportation; Missouri Safety Council; Dale Findlay, Missouri Coalition for Roadway Safety; Eastern Missouri Psychiatric Society; Missouri State Medical Association; Missouri Hospital Association; Phil Wright, Missouri Safety Center; Maureen Cunningham, Brain Injury Association of Missouri; Missouri Nurses Association; and Paula Harrison and Jodi Winegar, Property Casualty Insurers Association of America.