

SB

110

February 16, 1993

Honorable Burt Sharp
State House of Senate
State Capital Building
Juneau, AK 99801

FEB 18 1993

SUBJECT: Senate Bill 110
Act of requiring the use of Motorcycle
Helmet when operating or riding on a Motorcycle.

Dear Sir:

I hope you find the attached information useful in making an informed decision about the use of Helmets. There is more information available but I felt important to get something down to you as soon as possible. Even though this information pertains to the use of Helmets, I also have a problem with the State of Alaska giving into Financial Blackmail from the Federal Government. What are the people of Alaska worth? 1.5 percent? I think not!

Just because California and Texas do something should Alaska follow? I am not a sheep who blindly follows. The State of Alaska should consider legislation based on our needs and should not be pressured by the Federal Government to pass laws that we do not deem necessary.

I hope you will consider all sides of this issue and not just the financial side. If I can be of any help please feel free to call me anytime, Days (907) 776-7676, Evenings (907) 283-4481.

Respectfully,

Scott D. Hamann, President
Kenai Peninsula ABATE
Alaska Bikers Advocating Training and Education

ECONOMIC IMPACT OF HELMET LAW

Of the top 12 states with best motorcycle safety records, only 1 has a helmet law. On the other hand fully half dozen states with the worst safety records have helmet laws.

Motorcycle Safety Foundation

National Safety Council found no significant difference in the ratio of fatalities per 100 motorcycle accidents for the time periods 1949-1966, pre-helmet law years, and 1967-1975, a period when nearly all states had helmet laws.

U.S. DOT News reported in October 1972 that 90% of helmets tested off the shelves failed to meet minimum safety standards.

The Federal Department of Transportation has admitted that no helmet on the market can reject impact stress above 12mph.

Serious and/or fatal neck injuries increased 75% in NY State after the 1st yr of mandatory helmet law.

Fatalities increased 340% in NJ the 1st year of the helmet law.

New Jersey Highway Dept.

In July '80 American College of Surgeons Committee warned that improperly taking a helmet off an injured person could cause perm. paralysis.

It is a rare difference where a helmet makes a difference in as far as a bike accident is concerned. Most injuries are chest and abdominal or extremity related.

Dr. John Levin
Trauma Specialist

Bike registrations in Louisiana dropped 15.2% in '83 (the year following the dreaded helmet law) and the number of franchised dealerships fell 7%. New bike sales were down 6.6% even though nation wide sales increased 10.6%

Motorcycle Industry Council
Motorcycle Safety Foundation
and R.L. Polk

A 4 pound helmet at 50 mph becomes a 200 pound object upon impact.

Relative to the number of registered motorcycles, states with mandatory helmet laws had 14.5% more accidents and 1.58% more fatalities than Free Choice states from 1977-1978

Accident & Fatality Statistics
by Dr. A.R. Mackenzie

1971

Oct.: Ed Armstrong exposes the manipulations of statistics used to justify helmet laws, and shows that the statistics actually prove that helmets increase accidents and fatalities.

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LET THOSE WHO RIDE DECIDE

Education not Legislation is the key to safer motorcycling. All the safety equipment in the world can't protect the inept unskilled rider.

A series of scientific studies by Engineer D.R. Fisher concluded:

1.) Helmets increase the temp of the wearer's head more than 3 times as much as a wool cap and trap 2/3 of the heads heat without allowing it to dissipate.

2.) Helmets reduce side vision an average of 41°, representing a 16% impairment to the normal field of vision.

3.) Sound blockage of the helmet represents an impairment in the ability of the rider to perceive or discriminate warning or other useful sounds that will decrease the risk of being involved in an accident.

4.) Recent studies show that wearing a helmet causes wind turbulence that is damaging to the riders hearing. (We'll let you know more on this as we become aware of information)

STUDY SHOWS: HELMETS CAN "UNPLUG" BRAINS

A group of surgeons in Adelaide, Australia, has recently concluded a four-year study on helmets and has come to the conclusion that instead of preventing fatal injuries in motorcycle accidents, rigid, full-face helmets (the ones common in this country) can actually be the cause of death.

In what it describes as a world breakthrough, the Australian Crano-Facial Unit has discovered how helmets can cause the brain stem to be severed in impacts, leading to instant death. One researcher, Dr. Rodney Cooter, pointed out that while these helmets protected the face, they simultaneously transferred the force of impact through the chin strap into the jaw bone and then into the brain.

Says Dr. Cooter, "It's a lot like unplugging the brain. Victims of a judicial hanging can suffer the same injury." He and his team devised a special system of CAT scanning the helmets of crash test victims and examined the skulls of the dead as well as the survivors.

Dr. Cooter said helmets had been traditionally designed by phsicists and engineers whose main aim was to prevent damage to the front of the face, which ironically is the part of the head most capable of absorbing the impact of a collision.

FATAL FACTS ABOUT HELMETS

A Neurosurgeon Speaks The Truth

Editor's Note: The following article demonstrates one of several deadly side effects of helmet use. Although Dr. Cooter recommends limited helmet use, his arguments directly relate to our Freedom F.I.G.H.T. program attack. If you need more information on how we plan to use this report to eliminate mandatory helmet laws and save lives, see pages 28 and 29.

During World War II, an English neurosurgeon named Cairns compared the head injuries of crashed motorcyclists wearing helmets with those not wearing helmets. Cairns, a Professor of Neurosurgery at Oxford University, noted that helmeted motorcyclists who had broken their facial bones had less serious brain injuries. Clearly, some impact energy had been absorbed by the face or the helmet. From those early studies, the suggestion came that all motorcyclists should wear a helmet.

The only types available then were "inverted pudding bowl" styles that barely covered the short hair style of the day. These had an inner lining of cork or pulp that was used to absorb energy. During the 1960s, the fighter pilot style became popular because it covered the whole scalp, came in colorful fiberglass shells, and had better energy absorption material inside. Gradually helmet standards arose to ensure that helmets were constructed to a standard level that assured adequate impact performance in controlled helmet impact tests.

During the 1970s, full-face helmets (fighter pilot style plus facial protection) gained popularity. Manufacturers argued that if the fighter pilot style helmet had a chin bar, then the whole head and face could be protected. But this presented the helmet standards committees with a dilemma: How to test the performance of the chin bar component when no one was sure about how far it should deflect in an impact? Some said the chin bar

should be soft and pliable. Others said it should be hard and inflexible. The rigid school won, and efforts were made to stiffen the chin bar by incorporating strong materials to increase its rigidity.

Early medical reports of facial injury patterns in motorcyclists supported the use of full-face helmets because hospital accident and emergency departments were treating far fewer facial cuts and abrasions among bikers wearing full

with head injuries was computerized CT scanning (CAT scanning). CAT scans could be converted into three-dimensional images to help plan the surgery that crash victims often required. Using CAT scanning techniques, we compared the patterns of injury among 50 motorcyclists admitted to hospitals with 24 motorcyclists killed from similar impacts during the same period. We retrieved the helmets worn and also studied them with

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facial protection. Indeed, it became rare to see an injured motorcyclist with a facial bone fracture if he wore a full-face helmet. All was well for motorcyclists who came to hospitals for treatment after a crash that involved a head impact.

But what about that ever-growing band of motorcyclists who didn't make it to the hospital? Many died in helmets that fitted well, were well adjusted, and were firmly in place at the time of the crash. Of course, some of these had fatal chest and abdominal injuries, but too many seemed to be dying from impacts they should have survived.

During the 1980s, reports from road accident research units worldwide showed an increasing incidence of a particular fatal skull injury among motorcyclists wearing full-face helmets. This common fatal injury was a skull base fracture—a severe crack across the bones on which the brain sits. To try to explain how these devastating injuries were happening, some associates and I looked in depth at a small number of motorcyclists who had been fatally injured while wearing full-face helmets. At this time, the latest X-ray equipment available for patients

the CAT scanner.

Each motorcyclist's head was considered as a four-layered unit: 1) the helmet, 2) the scalp and facial skin, 3) the skull and facial bones, and 4) the brain. Detailed scientific information was gleaned from each of these layers. That information was then fed into a computer-based coding system for analysis. In addition to the CAT scan information, a detailed autopsy was performed on the fatally injured group. An independent neuropathology review was also performed on the brain of each motorcyclist killed.

When analyzed, our results showed that motorcyclists with broken facial bones usually had been wearing helmets that gave little or no facial protection. Furthermore, they had little in the way of brain injury. In contrast, those motorcyclists killed outright often had no facial injury, even if they suffered an impact to the front of the helmet. They did, however, have skull base fractures and unsurvivable brain injuries. Apparently, the blow to the chin bar had been transmitted to the chin strap, increasing its tightness sufficiently to drive the lower jaw

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upward into the base of the skull. The upward force into the skull base, then, may have caused the fracturing and subsequent brain damage.

The brain damage was concentrated at the critical brain stem region where the spinal cord effectively "plugs into" the base of the brain. Damage in that region is usually instantly fatal.

Were our findings only present by chance in the sample of motorcyclists we studied? To find out, we performed a second study of 988 brains from autopsies performed on road accident victims. These 988 included 36 cases of unequivocal brain stem injury. The proportion of motorcyclists in that series was double the expected figure, and of the 15 motorcyclists, 13 were known to have been wearing helmets at impact and 11 had

been wearing full-face helmets. Furthermore, the principal impact point was the chin bar in nine of the bikers.

These findings strengthened the possibility that a blow to a rigid chin bar could be transferred via the chin strap to the lower jaw and then to the skull base, with fatal consequences to the fragile brain stem. If this were so, then how could it be prevented? In collaboration with engineering scientists and computer-aided-design (CAD) experts, we devised a series of solutions. Essentially, they involve the incorporation of an energy absorber into the chin bar of a full-face helmet. This would reduce the impact energy transmitted to the brain stem and, hopefully, transfer a potentially fatal impact victim into the survivable range. The wheels of change

in altering safety designs move extremely slowly, but the full-face helmet with a soft, pliable chin bar extension may be a suitable alternative.

Let's face it: A motorcyclist's helmet should be worthy of the head upon which it rests.

—Rodney D. Cooter, M

Dr. Rodney Cooter is currently the Staff Grade Plastic Surgery at St. James University Hospital, Leeds, United Kingdom. He trained for five years at the Weapon's Research Establishment in South Australia before completing a four-year training in engineering draftsmanship with Telecom Australia. He studied medicine at the University of Adelaide six years before commencing surgical training. In his surgical training with the Australian Craniofacial Unit, he developed an interest in the engineering aspects of injury to the head and face. In his doctorate—*Craniofacial Fracture Patterns*—he examined the effects of helmets on injury patterns. This is followed that intensive study.

HOW HELMETS CAN KILL

1. Impact to the lower face bar is transmitted via the jaw to the skull.
2. The chin strap forces the jawbone upward.
3. The brain stem is severed.

This pattern of death emerged after four years of research.

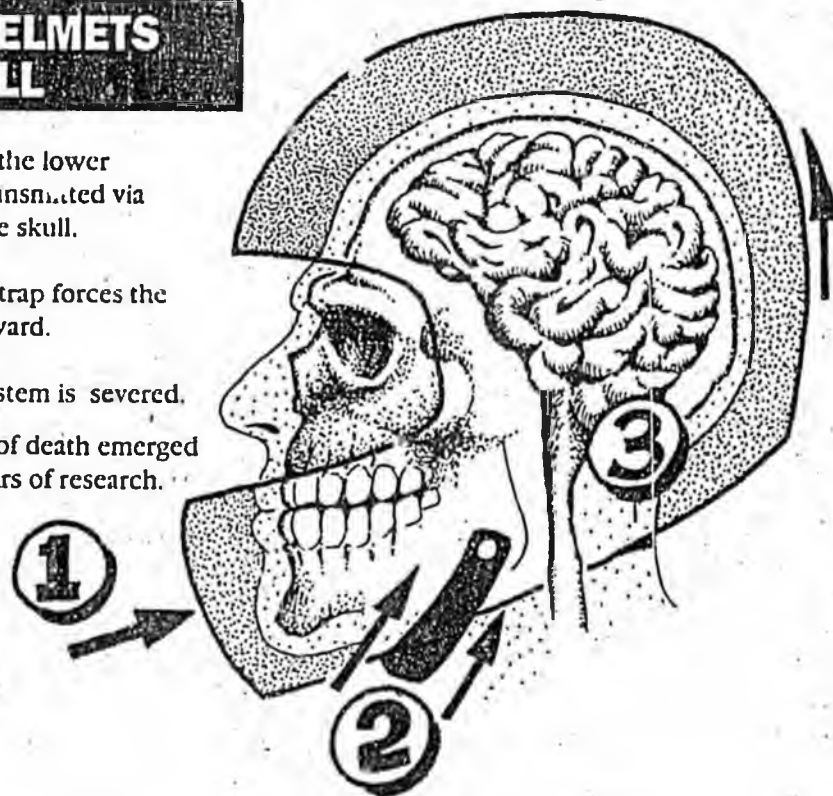


Illustration: Jon Towle

HELMET ROTATES

Lane dividers go underground

State says grooves no hazard to bikes

Bumps in the highway may be a thing of the past, for California has begun experimenting with recessed pavement markers as an alternative to the traditional raised reflectors often used to separate freeway lanes.

Though it would seem that the new markers, set into a four-inch wide by 24-inch-long by 9/16-inch-deep groove, would offer a severe hazard to bikers, the California Department of Transportation says that controlled tests show that the "recessed markers are more desirable than raised pavement markers."

In tests conducted at the California Highway Patrol Academy, experienced riders — mostly motorcycle cops and instructors — rode a variety of sizes and weights over a series of six recessed markers at speeds of five to seventy miles per hour. Weaving passes over the markers were tried, as was driving over them with underinflated tires.

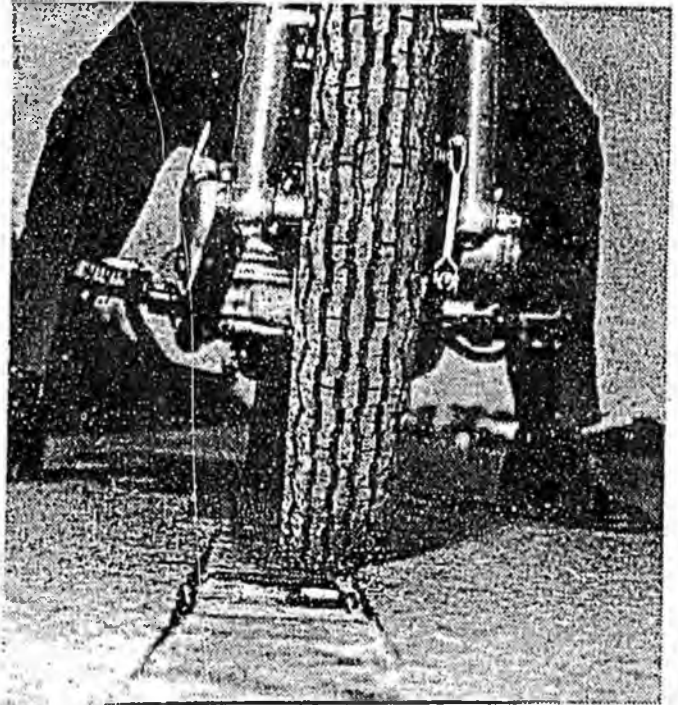
According to the Caltrans report on the tests, "The riders tried to find any situation

where noticeable negative handling would occur, such as riding down the centerline to place the tires fully into the groove, riding on the groove edges, riding in circles so that one reflector was repeatedly encountered at low leaning angles, and panic stops that included rear-wheel lockup."

After completion of the tests on dry pavement, the whole drill was repeated with the test section watered down sufficiently to fill the grooves and leave the road surface wet.

"Regardless of motorcycle size, tire size, general tread pattern, angle of encounter, lean angle, or speed, the recessed markers produced only a slight bump," Caltrans concluded. Even when the pavement was wet, there was no squirming or any kind of directional instability. "The motorcyclists involved all believed that the recessed markers are less dangerous than raised markers."

Caltrans officials believe the recessed markers will last substantially longer and require less maintenance than the current raised markers.



In Australia, 98 Victims Out Of 100 Wore Helmets

Twenty-two percent of people killed on Queensland roads so far this year have been on motorcycles.

This is a 7-percent rise from last year when 87 motorcyclists were among the 555 road victims for the year. Police said only two of the victims this year were not wearing crash helmets.

There have been 100 people killed on our roads so far this year — 12 more than for the same period last year. Of the 100, 20 were motorcycle riders and 2 were pillion passengers.

The statistics showed that 16 of the 22 were under the age of 23.

The Assistant Police Commissioner (Traffic), Mr. Jim Purcell, said he was disappointed. "Many young motorcyclists seem to be unaware of the power generated by their machines. They do not seem to have the experience to control their machines safely in an emergency," he said.

Acting head of the Metropolitan Traffic Branch, Insp. Cec Horne, said, "There has been an increase in the number of motorcycles on our roads because of the petrol price rises.

"More people are using motorcycles because they find they are economical transport.

"This means there are more inexperienced motorcycle riders on our roads. Unfortunately,

some of them are learning some bad riding habits.

"Motorcyclists have been seen riding too close to vehicles in front of them and in the 'blind spot,' where a car driver cannot see them in his rear-vision mirror.

"Traffic police also have noticed that some inexperienced motorcyclists ride to one side of a lane. They believe that by doing this they can swerve around the vehicle in front of them if it stops suddenly.

"This is a very bad habit. The rider fails to realize that if the vehicle in front turns, swerves or stops suddenly, he will run into it. And, because he is riding to one side of the lane, he gets into the driver's blind spot.

"We have also found that motorcyclists are getting into trouble on wet days by riding too close to vehicles. In wet weather, drivers wind up their windows and cannot hear a motorcycle coming up behind them," Insp. Horne said.

The Transport Minister and Queensland Road Safety Council chairman, Mr. Don Lane, said, "The statistics paint an alarming picture."

Mr. Lane said the Queensland Road Safety Council was conducting a safe-driving course for motorcyclists. He urged riders to attend. — from *The Courier-Mail*, Brisbane, Australia.



Good reasons to abolish lid laws (Try 'em on your legislators for size)

A couple of times every year, we try to gather together in one place some of the major arguments against mandatory helmet laws. This particular list was generated by Bipartisans Against Discriminatory Legislation (B.A.D.L.), a small-but-determined bikers' rights group out of Northern California. For information on joining, write to B.A.D.L., 20175 Ricardo Ave., Hayward, CA 94541.

- Statistics verified by the AMA and the MSF show that Iowa, Wisconsin, South Dakota, and Kansas are the four safest states to ride in. None of them mandates helmets for adults.
- The federal Department of Transportation has admitted that no helmet on the market can reject impact stress above 12mph.
- In one DOT study, 90 percent of all helmets failed to meet even that 13mph standard.
- A study by the University of Utah Speech and Hearing Clinic found that helmets can confuse and disorient riders by restricting hearing and distorting sound direction.
- In July, 1980, the American College of Surgeons Committee on Trauma warned that improperly taking a helmet off an injured person could cause permanent paralysis.
- Dr. D.M. Kuland of Rhode Island Hospital has reported that *concussions without fractures* can be caused by helmets. These can lead to massive internal head swelling and paralysis or even death.
- Rhode Island had a 166.7 percent increase in motorcycle-related fatalities after putting a mandatory helmet law into effect.
- Car drivers and passengers, even those wearing seat belts, suffer a far greater number of head injuries than motorcyclists, yet no one is suggesting they wear helmets.
- Neck injuries and fatalities in New York state jumped 75 percent the year the state's helmet law went into effect.
- In New Jersey, motorcycle deaths soared 340 percent *after* a helmet law was passed.
- Temperatures can reach 130 inside a full-coverage helmet. Heat-related factors contributing to accidents and deaths include fatigue, nausea, lightheadedness, blurred vision, loss of visual perception, and fainting.
- California Highway Patrol statistics show that motorcyclists voluntarily use helmets 50 percent of the time, auto drivers voluntarily use seat belts 20 percent of the time, and auto drivers in seat belt-law states use belts 47 percent of the time.
- A study by the Utah Highway Safety Department showed that helmet usage does not significantly affect the severity of head injuries.
- The Kansas Department of Health and Environment reported that it could find no evidence of increased motorcycle fatalities after repeal of the Kansas helmet law.
- Testing at the University of Technology in Sothenburg, Sweden, established that helmets slide only two thousandths of an inch before grabbing. Such sudden stopping of the helmet twists the head and may cause the brain to move inside the skull, rupturing arteries and causing permanent brain damage.

Helmet Almost Electrocutes Man



Richard Blair, 40, of Arizona, was riding his motorcycle on U.S. 9 out of Phoenix when he was struck by lightning. The bolt ran up his leg, then leaped from his right shoulder to the metal chin strap clasp and entered his right ear, exploding the eardrum, then sizzling through a portion of his brain before escaping.

Richard spasmodically opened the throttle as he slumped unconscious against his son, Kvick, and took off down the highway. The bluish-white flash had burned a hole through the

center of Richard's forehead as he rested against his son on the speeding motorcycle. Kvick groped for the handlebars for almost two miles before he was able to reach the clutch and finally bring the scooter to a halt.

When he reached the hospital, Richard's face was blue, he had no respiration, the hair on his arms was charred, and the tips of his shoes were blown off. He was in a coma for two days. In October of '87 he was still suffering from deafness, severe muscle pain, nerve damage, and short-term memory loss.

Lidless states rated safest in nation

Nationwide statistics gathered by the Motorcycle Safety Foundation show, astoundingly enough, that the four safest states to ride a bike in have no statewide mandatory helmet law for adults.

Averaging the number of accidents per 10,000 bike registrations, the number of fatal

accidents per 10,000 registrations, and the number of deaths per 100 accidents, the MSF rated the states from most safe to least safe.

Topping the list were Iowa, no helmet law; Wisconsin, helmets required only for riders under 19; South Dakota, no helmet law; and Kansas,

helmets required only for riders under 18, except within the city limits of some towns that require them for everyone.

One thing most of the safest states have in common is an aggressive motorcycle licensing program. Kansas, for example, uses a modified version of the MSF's Motorcycle Oper-

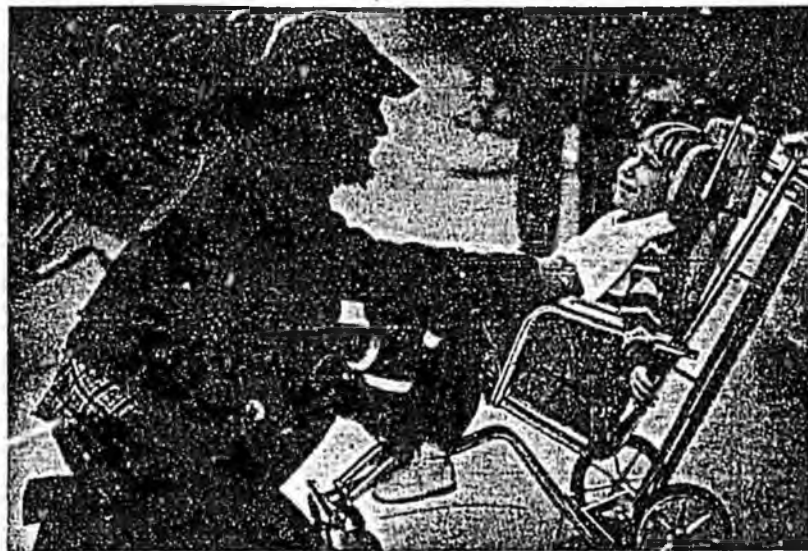
ator Skill Test, which is credited with reducing bike accidents by 15 percent in states that have adopted it.

In Kansas the driver is tested on shifting, turning, stopping control, and cone weaves. Recently, reacting to the fact that most bike accidents are caused by careless cagers turning in front of bikes, Kansas added two other elements to its test: a quick stop and an evasive swerve.

According to Kansas officials, riders proficient in these emergency maneuvers stand a far better chance of avoiding winding up with their bodies pasted to the pavement and their bikes planted in the back seat of some old lady's Plymouth.

Explaining their tough attitude toward licensing, one Kansas official said, "If you can't do the maneuver on an off-the-street course, on the bike you will be driving, then you shouldn't be driving on the street where you will face real-life situations you're not prepared to handle."

*The good we do . . .
never remembered; the bad never forgotten*



So-called "safety helmet" strangles cyclist to death

Many so-called motorcycle safety experts aren't going to like this story, but facts are facts.

Eugene J. Hannahoe, 22, of Stony Creek Mills, Pa., was found dead on his bike in a driveway about 3 a.m. recently, his left handlebar wedged underneath the back of his "safety" helmet.

According to Berks County Coroner Michael Feeney, Hannahoe must have been coasting into the driveway when he ducked to avoid a low-hanging tree branch. Feeney speculates that the rider lost his balance and, as he started to fall, caught his helmet on the handlebar, causing the lid's chin strap to strangle him to death.





Easymews

"If it's for the betterment of biking, we'll print it."

More Meat for Helmet Law Opposition

In the July issue of *Traffic Safety* magazine, Mr. Robert Parenti of the Utah Highway Safety Division has turned the spotlight on an on-going motorcycle study that may have far-reaching effects on the future of helmet laws, as well as giving significant insight into the causes of motorcycle accidents.

In the study, conducted by Utah's Highway Safety Division, over 220 separate motorcycle accidents were put into a statistical format and analyzed by computer. The 220 accidents mentioned were chosen because of the availability of complete information about the crashes.

The study found that motorcycle driving experience was the most significant factor involved in a cycling accident. It was discovered that 85 per cent

of the cyclists involved in crashes had less than five years experience in driving motorcycles. Perhaps even more significant was the fact that 52 per cent of the cyclists had less than two years riding experience.

It was also found that experience on the particular motorcycle driven by the cyclist was less than one year in over 75 per cent of the crashes.

Another discovery was that cyclists may have a better overall driving record than automobile drivers. Over 78 per cent of the cyclists had never had a mishap before, over 90 per cent had never had their license suspended, and over 98 per cent had never had a DWI conviction.

Helmet Findings. Possibly the most interesting finding of the analysis con-

cerned the relationship of safety helmets and the severity of head injury. In the analysis, the helmet was investigated solely as a protective device that might affect the degree of head injury sustained in a motorcycle crash. Through a series of analytical procedures, "statistically verifiable" conclusions were reached that demonstrate that the helmet is not significantly (emphasis ours, Ed.) related to the severity of head injuries. This does not mean that the head is going to be injured with or without a helmet. It means that if you're going to get your skull crushed, a helmet may not prevent that crushing. If you wear that helmet, the chances of your head being injured are demonstrably reduced.

—from *Drivers' Magazine*

Helmets Make Noise

My biggest gripe about helmets is the noise they create. Tests made at the University of Utah (Mechanical & Industrial Engineering Dept.) show clearly that a helmet doesn't reduce sound levels any significant amount. In fact the wind whistling between the helmet's shell and the rider's head actually increases noise. It is true, I could put my helmet on and carry on a conversation with you, as long as I was standing still. At 55 mph the slipstream of wind passing the helmet creates a definite noise. Under OSHA standards you should ride just 21 minutes a day at that speed, less with a headwind, before you risk a 15% chance of permanent damage to your hearing. The test results generally agree with those of one done by the USDA Forest Equipment Development Center (Calif.) in 1974. —from Carl Stock, Old Dominion Motorcycle Association, P.O. Box 138, Vienna, Va. 22180. ■

Full-face Helmets May Be Dangerous



England: Dr. Tom Ravensdale of Great Britain has come up with a whole 'nother helmet controversy. He fears motorcycle riders wearing full-face helmets may be gassing themselves with concentrated carbon dioxide from their own breath. Ravensdale claims to know of numerous accidents that have no apparent cause, but where the common denominator is a full-face helmet with visor down, sometimes aggravated by scarves or clothing around the neck, that may seal the base of the helmet.

Said Ravensdale, "In these accidents, the riders all had the visors down and just went slap into something, like the back of a parked vehicle."—from the AMA Government Report

Beware—Motorcycle Restraints

Ohio: "The Moped Report," by the Ohio Traffic Safety Education Center, recommends that both mopeds and motorcycles come equipped with an automatic restraint system, such as an air bag, higher seats to change the trajectory of the rider if a collision should occur, and energy-absorbing structures above the front wheel to soften the impact of the operator against the vehicle. The report also calls for the addition of a knee bar with an energy-absorbing structure as close as possible to the knee and lower leg to



Improve the upward trajectory of the operator if a front-end collision with an obstacle occurs.—from the *International Motorcycle Trade Journal*. ■

Kasnews

"If it's for the betterment of biking, we'll print it."

Head Injuries With Helmets?

Sweden: A Swedish research team has carried out a series of experiments on three police helmets and discovered they could provide inadequate protection in the types of impact usually sustained in road accidents.

The British Standards Institution, which issues British safety kite marks, said it was giving the matter serious consideration.

In the majority of crashes, helmets strike the road at an oblique angle and this can make the brain spin in various layers, resulting in untreatable brain damage. However, BSI safety tests, which all helmets sold in Britain must pass, subject the helmet only to right-angle blows.

About 720 of the 1200 people killed in motorcycle accidents in 1977 died from head injuries even though they were

wearing helmets.

Dr. Bertil Aldman, professor of Traffic Safety at the Chalmers University of Technology in Gothenburg, Sweden, tested three overoak police helmets, subjecting them to 14 separate tests at speeds from 21 to 37 mph.

Even under the most favorable conditions at the lowest speed, the rotational forces produced by the impact were at a level likely to cause serious injury. In the severest test they were almost twice as bad.

The Swedish team stressed, however, that the helmets tested were no worse than others on the market.

"No one has designed a helmet for this type of test," he said. "I do not think better alternatives are available." — from ABATE of Michigan, Box 1032, Dearborn, Michigan 48121.

head when he falls—causing him to break his neck."

And the bigger the helmet, the worse the rotating effect. At best, the weight tears the helmet off the rider's head on first impact, but in just one Surrey hospital in the past 18 months seven riders have been admitted dead—killed by their crash helmets.

Investigations revealed that the chin area of their helmets broke as they crashed, jagged pieces of fiberglass stabbed them in the jugular vein or carotid artery, and they bled to death.

Mr. Hadfield adds that the number of neck injuries among motorcyclists is higher than was previously thought, and that many riders, said to have died of head injuries, in fact were killed by high neck damage resulting from full-face helmets.

"Hard fiberglass or plastic bounces on impact in a crash, and the bounce has to be absorbed by the head and neck of the rider." —from ABATE of New York, Schenectady, New York 12309.

Beware Of Killer Helmets

Britain: The modern full-face helmet, as worn by over one million motorcyclists in Britain, could be a killer.

The orthopedic surgeon and chief medical officer for the British Motorcycle Racing Club, Mr. Gordon Hadfield, claims that many modern helmets are "designed to fulfill riders' desires to imitate their race track heroes and not to protect them in accidents.

"These helmets are so heavy that they rotate the rider's



GOVERNMENT



STATES SAY NO TO BLACKMAIL

Lawmakers in three states now agree: The federal government has no business trying to blackmail them into passing mandatory helmet-use laws.

Over the past several months, the AMA has learned that legislators in Illinois, Rhode Island and Tennessee have decided to oppose the federal government's attempts to coerce them into passing helmet laws. Representatives in each state have approved resolutions calling on the U.S. Congress to abandon its federal helmet blackmail plan.

That plan, passed as part of the 1991 federal highway funding bill, works like this: Any state that fails to pass a mandatory helmet-use law by October of this year will lose control over 1½ percent of its federal highway safety fund allocations. Those states that fail to comply by October 1994 would lose control over even more.

Since that measure was passed, only one state—Maryland—has

complied by passing a law requiring helmet use by all street motorcyclists. However, a number of other states have considered such laws.

The resolutions passed in Illinois, Rhode Island and Tennessee indicate that at least some state legislatures resent this attempted intrusion into their affairs. And lawmakers in four other states—Colorado, Minnesota, South Carolina and Wisconsin—have considered similar resolutions in recent months.

OFF-ROADERS SUFFER SETBACK

Off-highway motorcyclists in Pennsylvania have suffered a serious setback in their attempt to improve the state's trail-riding opportunities.

Recently, Gov. Robert Casey vetoed a bill that would have set up a statewide motorcycle trail-funding program. The plan would have paid for trail construction and maintenance through registration fees on off-highway motorcycles.

The governor didn't veto the bill because of the motorcycle trails pro-

vision. Instead, he opposed an unrelated part of the legislation that dealt with the state's drunken-driving law. However, that killed off the entire bill, and wiped out all the progress motorcyclists made during the '92 legislative session.

Fortunately, plans are already underway to revive the motorcycle registration provision this year.

"A motorcycle trail program for Pennsylvania would open up more riding opportunities for more people, while ensuring that the trails are maintained in harmony with the environment," says Eric Lundquist, AMA legislative affairs specialist. "For that reason, we'll be working hard to make sure riders get another shot at making this program a reality."

Pennsylvania will be one important battleground on this issue in the upcoming months, but it's not the only state where off-road riders are trying to establish funding programs. At least two other states—Minnesota and West Virginia—are expected to consider similar measures.

RIDER-ED STAGES COMEBACK

How's this for a comeback?

After being shot down by a governor's veto late in 1992, motorcyclists in Missouri have already started crusading for passage of a rider-education program this year.

Even before the new legislative session began, a measure to establish a motorcyclist-funded rider-education program in the state had been "pre-ferred" for consideration.

Last year, motorcyclists succeeded in pushing that program through both houses of the Missouri Legislature, only to see the plan dismantled by a veto from then-Gov. John D. Ashcroft. Since then, however, Missouri voters have elected a new governor, Mel Carnahan, giving new hope to supporters of the rider-ed plan, designated as Senate Bill 53.

Jerry Barnett

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STATE OF ALASKA

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF THE COMMISSIONER

WALTER J. HICKEL, GOVERNOR

P.O. BOX 111200
JUNEAU, ALASKA 99811-1200
PHONE: (907) 465-4322

February 22, 1993

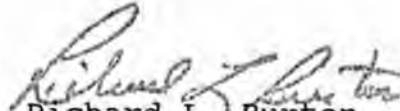
The Honorable Bert Sharp
Alaska State Legislature
State Capitol, Room 516
Juneau, AK 99801-1182

Dear Senator Sharp:

We are providing your office with these fact sheets from the National Highway Traffic Safety Administration. It is our hope they can be of some help in your determination as to passage or nonpassage of some of the important legislative issues presently pending in your House and Senate Chambers.

If we can be of further assistance in providing additional information on these issues, please call.

Sincerely,


Richard L. Burton
Commissioner

Enclosures

FF-937993

We are confident that the enactment of these laws, aided by the incentive grant funds, will increase safety on Alaska's highways. We strongly encourage the State to enact them. If we can be of any assistance to you, your staff and the State's legislators as you consider the alternatives in this program, please let us know.

Sincerely,

Marion C. Blakey

Marion C. Blakey

DOT URGES INTERMODAL INVOLVEMENT IN DESIGNATING NHS

"...the NHS is an opportunity to meet intermodal needs and enhance intermodal operations."

Warning that the authorized 155,000-mile National Highway System (NHS) will be "stillborn" unless it is fully supported by the states and transportation users, Robert Martinez, the U.S. Department of Transportation's Director of Intermodalism, said that completion of the system is "essential to national unity and economic vitality."

In an address to the Intermodal Association of North America, Martinez described the NHS as "the centerpiece of ISTEA (The Intermodal Surface Transportation Efficiency Act of 1991) and will be the major focus for the Federal-aid highway program into the 21st century."

He said that states will take the lead in working with local Metropolitan Planning Organizations and other officials to identify routes for the NHS. "If you are not plugged into this process and have concerns, get on the horn with your state people, because these decisions will not be made in Washington."

He said the ISTEA "specifically requires full consideration be afforded to access to ports and to intermodal facilities." He said the NHS is an opportunity to meet intermodal needs and enhance intermodal operations.

SAFETY INACTION COULD SHIFT ISTEA FUNDS

States could see up to \$380 million in federal aid shifted away from highway construction if they do not have safety belt and motorcycle helmet use laws in effect by 1994, according to a Highway Users Federation report.

In an effort to beef up safety laws, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) requires states to mandate the use of safety belts for front seat occupants of motor vehicles and the use of helmets by all motorcyclists regardless of age.

Any state that does not have these laws in effect by 1994 will have 1.5 percent of its funds for the National Highway System, congestion management, and Surface Transportation Program transferred to the 402 safety program.

After fiscal year 1994, the percentage rises to 3 percent.

States without safety belt use laws are Kentucky, Maine, Massachusetts, New Hampshire, North Dakota, South Dakota, Vermont, and West Virginia.

Three states, Colorado, Illinois, and Iowa, do not have motorcycle helmet laws. Rhode Island's law applies to motorcycle passengers but not drivers. In 21 states, the motorcycle helmet law covers riders in the 15-21 age group only, meaning their funds will be at risk also.

Federal-aid 402 funds are used for state and community safety grants, not for highway safety construction projects.

Said Lester P. Lamm, president of the Highway Users Federation, "While increased 402 funds would be welcome in many states, the alternative of fewer road safety improvement projects is a poor tradeoff."

AREAS COMPETE FOR LIGHT RAIL FUNDS

San Francisco, Milwaukee, and a Washington, D.C., suburb are in a three-way competition for \$35 million from the Federal Highway Trust Fund for a new light rail system.

U.S. Secretary of Transportation Andrew Card announced that after reviewing 17 proposals to design and build a light rail system using new technology, the finalists are the San Francisco Bay Area Rapid Transit District (BART), Milwaukee County, Wisconsin, and Montgomery County, Md.

The Intermodal Surface Transportation Efficiency Act of 1991 established the competition as the Suspended Light Rail Technology pilot project. The Federal Transit Administration (FTA) will pay up to 80 percent of the costs for the refinement of all three plans and \$35 million to design and build the winning system.

The FTA expects to announce the winner in 1993.

ISTEA POTENTIAL SANCTIONS*

	SMILLIONS		SMILLIONS
ALASKA	18.3	MONTANA	9.5
ARIZONA	12.2	**NEW HAMPSHIRE	11.5
COLORADO	13.0	NEW MEXICO	9.5
CONNECTICUT	15.8	**NORTH DAKOTA	15.1
DELAWARE	5.2	OHIO	30.1
HAWAII	9.4	OKLAHOMA	12.2
IDAHO	7.7	RHODE ISLAND	5.2
ILLINOIS	37.8	SOUTH CAROLINA	12.6
INDIANA	20.0	**SOUTH DAKOTA	15.4
IOWA	13.3	UTAH	7.7
KANSAS	10.9	VERMONT	4.9
KENTUCKY	14.0	WEST VIRGINIA	8.1
**MAINE	11.6	WISCONSIN	15.4
MASSACHUSETTS	11.9	WYOMING	7.0
MINNESOTA	14.7	TOTAL	380.0

- * Safety Belt Law and/or Motorcycle Helmet Sanctions
- ** Includes Both Safety Belt and Helmet Law Sanctions

(2) the motor vehicle displays a special license plate issued to disabled or handicapped persons under AS 28.10.181(d); or

(3) the motor vehicle displays a special license plate or permit issued to disabled or handicapped persons by another state, province, territory, or country.

(b) A person who violates this section is guilty of an infraction. Upon conviction the court shall impose a fine of not less than \$100. (§ 2 ch 11 SLA 1987)

Sec. 28.35.240. Duty to obey school patrol. [Repealed, § 3 ch 68 SLA 1964.]

Sec. 28.35.245. Motorcycle helmet. (a) After January 1, 1978, motorcycle helmets may not be manufactured or sold in Alaska that do not conform to standards established by regulation by the commissioner of public safety. The regulations must provide for helmets that allow normal peripheral vision and hearing and minimize neck injuries to the wearer potentially caused by the helmet. The adoption of these regulations shall be under the provisions of the Administrative Procedure Act (AS 44.62).

(b) A person who has reached the age of majority as defined by AS 25.20.010 may not be required to wear a helmet while operating a motorcycle if the person is the holder of a license that, under regulations adopted under AS 28.15.041, is classified singly as a license to operate a motorcycle. (§ 1 ch 230 SLA 1976)

Collateral references. — 7A Am. Jur. 2d, Automobiles and Highway Traffic, § 210.

Sec. 28.35.250. Application of law. [Repealed, § 20 ch 241 SLA 1976.]

Sec. 28.35.251. Contained or confined loads. (a) A person may not drive a motor vehicle loaded with sand, gravel, rock, or similar materials on a highway unless

(1) the load is contained or confined to prevent the load from dropping, shifting, leaking, or escaping, except that sand or other substances may be dropped, sprinkled, or sprayed for the purpose of cleaning or maintaining the highway or providing traction; and

(2) the load is subjected to treatment by methods, approved by the commissioner by regulation, designed to settle the load or remove loose material before the vehicle is driven on the highway.

(b) If a cover is used to contain or confine a load being driven on a highway, the cover shall be securely fastened to prevent the cover from becoming loose or detached, or from being a hazard to other users of the highway. (§ 1 ch 62 SLA 1986)

**THE FOLLOWING PAGES MAY
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DATE: 2-16-93

PAGE 1 OF 2

TO: THE SENATE TRANSPORTATION COMMITTEE

SUBJECT: SENATE BILL NO. 110

DEAR COMMITTEE MEMBERS:

You are in the process of trying to enact a mandatory motorcycle helmet law.

My first question to the committee is the following:

1. Is this proposed bill based on the Federal Highway Administration's 1991 study on motorcycle transportation efficiency that will require implementation of the bill by September 31 1992?

2. What if any scientific data is being reviewed by the committee detailing statistics on motorcycle accidents, specifically head and neck injuries?

3. Will you open the committee hearings to the public so that you could get input from the taxpayers on this issue?

In closing the current motorcycle helmet law

HS 44.62. At this time there is current scientific and medical data that supports adverse statistics on mandatory helmet use.

- 1. 41% loss of peripheral vision, hearing impairment,
- 2. 4 pound helmet on your head at 50 MPH translates to a 200 pound helmet at point of impact, that is to say that no helmet is currently in use on the road.
- 3. Rider above 12 miles per hour.

PAGE 2 of 2

HEAD TEMPERATURES INCREASE 2 TIMES WITH USE OF
HELMET VS. A STOCKING CAP, CONTRIBUTING TO DISORDERLY
MOTOR SKILL FUNCTIONS IMPAIRED, BLURRED VISION

IN MY OPINION THE STATE OF ALASKA OR THE
FEDERAL GOVERNMENT HAS NO RIGHT TO DICTATE AND
PASS LAWS THAT THROUGH SCIENTIFIC STUDIES HAS
PROVEN TO BE A CERTAIN NEGATIVE EFFECT ON THE
USE OF HELMETS.

PLEASE GET ALL THE FACTS BEFORE ARBITRARILY
PASSING LAWS THAT NOT ONLY VIOLATE ON THE CITIZEN'S
RIGHT TO FREEDOM OF CHOICE BUT IN FACT COULD BE MORE
HARMFUL THAN HELPFUL.

SINCERELY

DAVID W. BARRETT, EXPANSION OFFICER

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A wren's nest.

Bob Greene is a columnist for
the Chicago Tribune.

JUNEAU EMPIRE 3/31/93

MY TURN

By FRANK TURPIN

The Legislature is currently considering a bill (Senate Bill 110) that would make the use of a helmet while riding a motorcycle mandatory. The bill is in response to pending federal requirements containing an unusual penalty if the state does not enact the motorcycle helmet law.

James F. Andrus, legislative affairs representative for the Anchorage chapter of the Alaska Bikers Advocating Training and Education, has urged a "no" vote on the bill. He would lead one to believe that the federal requirement for the state to enact a motorcycle helmet law is wrong on two counts.

First, he labels it as blackmail since the federal government requires a mandatory motorcycle helmet law for each state under the threat of diversion of federal highway funds.

Second, he points out that by ignoring the federal coercion, we gain the benefit of having the federal highway money converted into an obscure safety program that would grow nearly 100-fold, seemingly at no public expense.

However, his point of view fails to mention or explain either the benefits of a mandatory motorcycle helmet law or the state retaining the freedom to utilize highway money as it sees fit.

In discussing the lack of benefits of a mandatory helmet law, the AMA is cited as an authoritative source. He is not referring to the AMA we all recognize, but instead the American Motorcyclist Association. Somewhat like asking

There is little doubt that helmets reduce injuries and the related human, financial and emotional burden that accompany major trauma.

moonshiners if bootlegging is a problem - you know the answer in advance.

However, the opinion of the other AMA - the American Medical Association - differs substantially on the question of the benefits of motorcycle helmets.

A quick review of the medical literature found 15 articles addressing the consequences of motorcycle accidents in general and motorcycle accidents where helmets were not worn.

Sources such as the Journal of the American Medical Association, Texas Medicine, Annals of Emergency Medicine and the Journal of Trauma did not conclude that helmet usage among motorcyclists is a trivial matter without measurable public benefit. Rather, these articles overwhelmingly conclude that helmets prevent serious injury and, important to this debate, greatly reduce the public costs of private behavior.

Given the breadth and detail provided in these scholarly journals, innumerable statistics could be cited as to the utility of helmets in both reducing serious injury and death, as well as the enormous public costs that frequently accompany trauma to individuals. But a Massachusetts court, in 1972, expressed the issue in clear terms:

"We cannot agree that the consequences of such (motorcycle) injuries are limited to the individual who sustains the injury. From the moment of 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."

There is little doubt that helmets reduce injuries and the related human, financial and emotional burden that accompany major trauma. If these benefits come at the price of a bit of federal blackmail, then the books seem more than balanced.

The second aspect of Andrus' argument is that spending nearly \$5 million per year on safety programs, including motorcycle driver education, from money that would otherwise be used to develop and rebuild Alaska's highway system, would more than make up for the lack of public benefits.

But this argument seems to miss three important points. One is that even in the heyday of the early 1980s, when oil money could have easily absorbed any number of driver and motorcycle educa-

tion programs, state leaders were not inclined to use public funds in this manner. Such a use of funds in today's era of fiscal austerity would seem to violate common sense.

Second, the driver and not the public should bear the cost of driver education. We now require that cars meet minimum standards, that drivers pass tests, that insurance be maintained, that air pollution criteria be passed and that seat belts be worn, all without direct public expense.

Finally, the diversion of \$5 million per year from highway construction to bureaucratic programs is a significant loss to our ailing highway system. Safe, modern highways save lives, increase productivity and improve mobility.

Another way of viewing this issue is to imagine if each of us contributed equally to the \$5 million in question. It's about \$9 each or \$36 for a family of four. If given the choice of having state government spend this money on improved highways or driver education programs, what would your choice be?

I know what my choice would be, and I endorse Senate Bill 110 for both the flexibility it provides the state in using federal highway funds and the reduction in serious accidents that result from safer motorcycle usage.

Frank Turpin is commissioner of the Alaska Department of Transportation and Public Facilities.

I MANDATORY MOTORCYCLE HELMET LAW

Public Law 102-240, dated December 18, 1991, represents an attempt by the federal government to encourage states to pass laws requiring motorcycle operators and passengers to wear helmets. Alaska requires juveniles to use helmets, but by statute this cannot be required of adults. See AS 28.35.245(b). (P.L. 102-240 similarly encourages mandatory safety belt laws, which we already have in Alaska.)

Under this law, states with both mandatory helmet and mandatory safety belt laws were entitled to federal grants for FY92, FY93 and FY94, to be used in adopting and implementing a traffic safety program relating to safety belts and motorcycle safety. The funds could also be used to enforce these helmet and safety belt laws and to train public safety officers how to enforce these laws.

A state that has not enacted a mandatory helmet law not only will not receive the grants referred to above, but will also suffer a "penalty" commencing in FY94. The "penalty" is that 1 1/2% for the first year and 3% each year thereafter of certain, designated federal highway program funds will no longer be appropriated to the state (Department of Transportation) for those programs, but will instead be appropriated to the state (Department of Public Safety) under the federal highway safety act for the purposes of that act. The federal programs from which the funds would be diverted are: the National Highway System, the Congestion Mitigation and Air Quality Improvement Program, and the Surface Transportation Program.

These sums amount to approximately \$2.6 million dollars for the first year and \$5.2 million dollars thereafter.

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SB110 HAS NO SPONSOR STATEMENT

BILL NO: SB 110

DATE: March 16, 1993

TITLE: "An Act requiring the use of a motorcycle helmet. . ."

CONTACT: C.E. Swackhammer
Deputy Commissioner
465-4322

Public Law 102-240, dated December 18, 1991, represents an attempt by the Federal Government to encourage states to pass a law requiring motorcycle operators and passengers to wear helmets. Alaska presently requires juveniles to use helmets, but by statute this cannot be required of adults.


Unless legislation is passed this session to require mandatory helmet use by law, the Federal Government will initiate a transfer of funds from the Alaska Department of Transportation and Public Facilities to the Alaska Highway Safety Planning Agency (HSPA). Section 153 of the Intermodal Surface Transportation Efficiency Act of 1991 requires that every state have in place both a safety belt use law and a motorcycle helmet use law during FFY 1994 to avoid this action. The transfer will not occur until Federal Fiscal Year 1995 and will come from three highway programs: The Surface Transportation Program, the National Highway System, and the Congestion Mitigation and Air Quality Improvement Program. An estimated \$2 million dollars will be transferred in FFY 1995 and twice that in subsequent years. These transferred funds may be used for motorcycle and safety belt education, training and for enforcement.

During calendar year 1991, the most recent year for which we have complete information, eleven motorcyclists were killed in Alaska; three of whom were not wearing helmets. Ten cyclists were killed in 1990; six were not wearing helmets.

According to the National Highway Safety Administration from 1984 through 1989, helmets saved the lives of more than 4,100 motorcyclists. If everyone on a motorcycle (both operators and passengers) had worn helmets during those years, approximately 4,182 additional lives could have been saved.

This confirms the findings of numerous studies done in the United States, Great Britain, Canada, Japan and Australia showing how effective helmets are in preventing or reducing the severity of motorcycle head injuries. That's why these countries all require motorcycle helmet use laws.

Department of Public Safety recommends passage of SB 110 as written.


Richard L. Burton
Commissioner

STATE LEGISLATIVE FACT SHEET

US Department of Transportation
National Highway Traffic Safety
Administration

October 1992

SAFETY BELT USE LAWS

The U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA) believes that every State should have a law which requires the use of safety belts by occupants of motor vehicles. Traffic crashes are the greatest single cause of death for every age between 6 and 33. Safety belts are the most effective means for reducing fatalities and serious injuries when crashes occur, and air bags provide valuable supplemental protection in head-on crashes. Many new vehicles are equipped with driver-side air bags; but, even with an air bag, safety belt use is needed to obtain maximum protection--and to obtain protection in side and rear impact crashes and rollovers.

Key Facts

- In 1991, 41,462 persons were killed in highway crashes in the U.S. That's equivalent to three fully loaded wide-body jet crashes every week. Many times that number of persons were seriously injured.
- Of the 41,462 motor vehicle deaths in 1991, 22,347 (54 percent) involved passenger car occupants, and another 8,380 (20 percent) involved light truck and van occupants.
- Lap and shoulder belts, when used, are the single most effective means for occupants to reduce the risk of death and serious injury in a highway crash.
- Experience in the U.S. and other countries confirms that belt use laws do substantially increase usage. Without such laws, most people fail to buckle up.
- With enforced safety belt use laws, several nations have achieved usage rates of 80 percent or higher. In Canada, for example, enforcement of provincial belt use laws has enabled the national usage rate to increase from about 55% to more than 85%. Saskatchewan and Quebec have attained use rates of over 90%.
- In the U.S., with minimally enforced use laws, safety belt use has increased from an average of 11 percent in 1981 to 59 percent in 1991. With adequate enforcement, seven States have

achieved usage rates over 70 percent--with Hawaii now exceeding 80 percent.

- In 1991, if every front seat occupant had buckled up, more than 14,400 deaths and several hundred thousand serious injuries would have been prevented by seat belt use.
- Public opinion surveys reveal that 88 percent of respondents believe that safety belts save lives and reduce injuries; 75 percent say that they favor belt use laws; 70 percent say that the risk of receiving a citation would make them buckle up; and 65 percent (in belt law States) say police should issue more citations.
- Safety belt laws have been consistently upheld by State courts as constitutional.

Cost Savings

Hospital studies have repeatedly shown that victims of serious crashes who are unbelted are more likely to be hospitalized; suffer injuries that are much more severe; require longer hospital stays; and incur costs that are 2-7 times greater. In addition, studies have indicated that unbelted victims are more likely to be uninsured, under-insured, or covered only by programs that are government supported, such as Medicare. Government picks up much of these costs.

The fatalities and injuries that are prevented by safety belt use laws result in significant economic savings to society. In 1990, at a usage rate of about 50%, the societal savings were estimated to be \$3.5 billion. One recent study pointed out that

for persons hospitalized as a result of a traffic crash, their first-year medical costs alone totaled nearly \$6.5 billion. Nearly one-third of these costs were borne by government.

Legislative Status

The total number of States with safety belt laws has increased each year since the first U.S. law became effective in New York in 1984. With safety belt laws currently in 42 States (see attached map), the District of Columbia, Puerto Rico, the Virgin Islands and Guam, over 93 percent of the U.S. population is covered by some type of safety belt use law. In addition, several cities in non-law States have enacted local safety belt use ordinances. Belt use in States with a law is generally one and one-half times higher than in States without a use law.

What Type of Law Works Best?

Safety belt use laws differ primarily in terms of the vehicles, occupants, and seating positions covered, as well as in the type of enforcement permitted.

Primary enforcement laws, which permit an officer to stop and cite a driver for a belt law violation, are preferable to secondary enforcement laws. With secondary laws, officers must first observe a primary offense, such as running a stop sign or speeding, before they can issue a citation for not wearing a safety belt. Belt use in States with primary laws averages more than 10 percentage points higher than States with secondary laws. Primary laws send a clear message to law enforcement and to the general public that safety belt use laws are just as important as other

traffic safety laws. Getting this message across is important because increasing motorist compliance with safety belt use laws offers more potential for achieving immediate reductions in death and injury than any other traffic safety measure.

Generally, safety belt use laws are more effective if they: cover all passenger vehicles including light trucks and vans; cover all seating positions; require a reasonable penalty; allow limited waivers only for medical reasons; and establish a public education program to explain the need for the law and to encourage compliance. In general, the more exceptions a law has, the lower the compliance rate will be because exceptions generally make enforcement more difficult.

Who Supports Safety Belt Use Laws?

The following organizations have publicly supported safety belt use laws:

- Advocates for Highway and Auto Safety
- Allstate Insurance Corporation
- American Academy of Family Physicians
- American Academy of Pediatrics
- American Academy of Orthopedic Surgeons
- American Association for Automotive Medicine
- American Association of Retired Persons
- American Coalition for Traffic Safety, Inc.
- American College of Emergency Physicians
- American Medical Association
- American Red Cross
- Federal Highway Administration
- Highway Users Federation for Safety and Mobility
- Insurance Institute for Highway Safety
- International Association of Chiefs of Police
- Kemper National Insurance Companies
- Mothers Against Drunk Driving
- National Commission Against Drunk Driving
- National Association of Counties
- National Association of Governors' Highway Safety Representatives

- National Association of Emergency Medical Service Directors
- National Association of EMS Physicians
- National Association of Independent Insurers
- National Highway Traffic Safety Administration
- National Safety Council
- National Sheriff's Association
- National Transportation Safety Board
- Nationwide Insurance Corporation
- Remove Intoxicated Drivers
- Traffic Safety Now, Inc.
- USAA Insurance Corporation
- U.S. Conference of Mayors

The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991

ISTEA provides incentive grants in Fiscal Years 1992-94 for those States that have in effect a motorcycle helmet law applicable to all riders and a safety belt use law applicable to front-seat occupants in passenger vehicles. In the first year a State must have both laws to qualify. In the two subsequent years, it must also achieve certain compliance levels.

If a State does not have both laws by October 1, 1993, 1.5 percent of its principal Federal-aid highway funds for Fiscal year 1995 will be transferred to its Section 402 highway safety program. If a State does not have both laws in effect at any time in Fiscal Year 1995 or thereafter, 3 percent of these funds will be transferred to the Section 402 highway safety program.

Additional Sources of Information

Four Annual Reports to Congress entitled Factors Related to Increasing Safety Belt Use in States with Safety Belt Laws, dated February 1988, January 1989, January 1990, and February 1991. This series

summarizes the research findings and describes a program for gaining the maximum benefit from belt laws.

Occupant Protection Program Review and Assessment--A Technical Assistance Program. This brief summary explains how federal, state and local program officials can participate in a review process that can re-energize the program and lead to more effective laws and related program support.

National Occupant Protection Conference--Summary of Proceedings. May 1990. This summary provides a description of program components and relationships, along with recommendations for program action. The central importance of safety belt use laws and combined enforcement and education in support of those laws is clearly evident.

National Leadership Conference on Increasing Safety-Belt Use in the U.S., January 10-12, 1991. This is a summary of conference proceedings co-sponsored by NHTSA and the American Coalition for Traffic Safety (ACTS). More than 75 recommendations on how to raise belt use were developed by the participants.

Safety Belt Use Laws Save Lives and Reduce Costs to Society, May 1992, GAO/RCED-92-106. This report evaluates and summarizes 85 studies relating to seat belt effectiveness and societal costs.

These reports and additional information are available from your State Highway Safety Office, the NHTSA Regional Office serving your State, or from NHTSA Headquarters, Traffic Safety Programs, ATTN: NTS-13, 400 7th St., S.W., Washington, D.C. 20590, 202/366-2711.

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO: SB 110

Revision Date: _____ Dept. Affected: Public Safety
 Title: "An Act requiring the use of a motorcycle helmet" BRU: Highway Safety Planning Agency
 Component: Federal Grants
 Sponsor: Senate Transportation
 Requestor: Senate Transportation COMPONENT SERIAL NO. 499

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

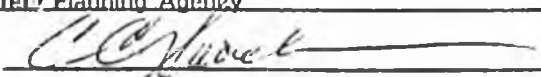
POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY 93) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary.)

See attached.

Prepared By: Lorn Campbell Phone: 465-4371
 Division: Highway Safety Planning Agency Date: 3/16/93
 Approved by Commissioner:  Date: 3/16/93
 Agency: Richard J. Burton, Dept. of Public Safety

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If the State fails to enact a mandatory helmet law this session, it will result in a transfer of Federal Highway Funds from the Department of Transportation and Public Facilities to the Highway Safety Planning Agency. Funds to be transferred will come from the National Highway System, the Congestion Mitigation and Air Quality Improvement Program, and the Surface Transportation Program, commencing in FY 95. The transfer will be in the amount of one and one half percent for the first year and three percent each year thereafter.

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO: SB 110

Revision Date: _____ Dept. Affected: Public Safety
 Title: "An Act requiring the use of
a motorcycle helmet." BRU: Highway Safety Planning Agency
 Component: Highway Safety Planning Operations
 Sponsor: Senate Transportation
 Requestor: Senate Transportation COMPONENT SERIAL NO. 498

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

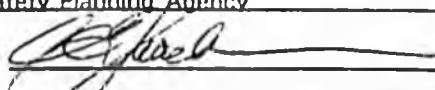
POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY 93) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary.)

See attached analysis.

Prepared By: Lorn Campbell Phone: 465-4374
 Division: Highway Safety Planning Agency Date: 2/16/93
 Approved by Commissioner:  Date: 2/16/93
 Agency: Richard L. Burton, Dept. of Public Safety

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Department of Public Safety
Fiscal Note SB 110
Page 2

Analysis:

If the state fails to enact a mandatory helmet law this session, it will result in a transfer of Federal Highway Funds from Department of Transportation to the Highway Safety Planning Agency. Funds to be transferred will come from the National Highway System, the Congestion Mitigation and Air Quality Improvement Program, and the Surface Transportation Program commencing in FY 95. The transfer will be in the amount of 1-1/2% for the first year and 3% each year thereafter.

*Moved from Senate
Trans. 2/17/93*

8-LS0598E

CS FOR SENATE BILL NO. 110(TRA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE TRANSPORTATION COMMITTEE

Offered: 2/17/93
Referred: Judiciary

Sponsor(s): SENATE TRANSPORTATION COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring the use of a motorcycle helmet when operating or riding on
2 a motorcycle; and providing for an effective date."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 * Section 1. AS 28.35.245(b) is repealed and reenacted to read:

5 (b) A person shall wear a motorcycle helmet while operating or riding on a
6 motorcycle.

7 * Sec. 2. This Act takes effect September 30, 1993.

SENATE BILL NO. 110

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE TRANSPORTATION COMMITTEE

Introduced: 2/11/93
Referred: TRA, JUD ✓

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring the use of a motorcycle helmet when operating or riding on
2 a motorcycle; and providing for an effective date."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 * Section 1. AS 28.35.245(b) is repealed and reenacted to read:

5 (b) A person shall wear a motorcycle helmet while operating or riding on a
6 motorcycle.

7 * Sec. 2. This Act takes effect July 1, 1993.

Sept. 7, 1993

FISCAL NOTE

Revision Date:
Title: Motorcycle Helmet Bill

Department Affected: DOT&PF
BRU: CIP Program

Sponsor: Transportation
Requestor: Sharp

Component:
Component Serial Number:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING:	0	0	0	0	0	0
CAPITAL*	0	0	0	0	0	0
REVENUE FUND SOURCE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

1002 FEDERAL RECEIPTS	0	0	0	0	0	0
1003 GF MATCH	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/PROGRAM RECEIPTS	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL FUNDING:	0	0	0	0	0	0

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY93) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary)

*In FY94, the state would be penalized approximately \$2.6 million, increasing to approximately \$5.2 million per year thereafter, for a total of approximately \$23.4 million over a five-year period. The federal programs from which the funds would be diverted are: the National Highway System, the Congestion Mitigation and Air Quality Improvement Program, and the Surface Transportation Program. These funds would no longer be available for construction, but instead be transferred to the Department of Public Safety for education and safety programs.

Prepared by: Katy McHugh

Phone: 465-3902

Division: Special Assistant, Office of the Commissioner

Date: February 16, 1993

Approved by Commissioner: 
Frank G. Furpin

Phone: 465-3900

Agency: Department of Transportation and Public Facilities

Date: February 16, 1993

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