Collaboration to Preserve North Carolina’s Universal Motorcycle Helmet Law

Alan Dellapenna, Branch Head
Injury and Violence Prevention Branch
NC Division of Public Health
### Partners

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<th>Others?</th>
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<td>UNC Injury Prevention Research Center</td>
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<td>East Carolina Injury Prevention Center</td>
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28 States have enacted Partial Helmet Repeal Bills like H 109, the results are clear and consistent:

**Partial helmet laws increase injuries and medical costs—and North Carolina taxpayers will pick up the bill.**

Florida changed their law from a universal to a partial law in 2000

- Hospitalizations due to motorcycle crash injuries **increase by over 40%**.
- Medical costs for treating head injuries **doubled to $44 million dollars**.

**Young people suffer in states with partial helmet laws**
- The majority of minors killed in motorcycle crashes were **not wearing a helmet**.

After Florida repealed its universal helmet law,
- **deaths of unhelmeted riders under the age of 21 increased by 188%**, despite the fact that these riders were mandated to wear a helmet.

Highlights from NC Fact Sheet
North Carolina ranks #1 in the nation for lives saved and economic costs saved due to helmet use.

### Regional Comparison of Helmet Law Impact

<table>
<thead>
<tr>
<th>State</th>
<th>Type of Law/Year Enacted</th>
<th>Lives saved by helmet use per 100,000 registered motorcycles, 2010</th>
<th>Economic costs saved by helmet use per 100,000 registered motorcycles, 2010</th>
</tr>
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<tbody>
<tr>
<td>Delaware</td>
<td>/1978</td>
<td>7</td>
<td>$13M</td>
</tr>
<tr>
<td>Florida</td>
<td>/2000</td>
<td>19</td>
<td>$38M</td>
</tr>
<tr>
<td>Georgia</td>
<td>/1969</td>
<td>34</td>
<td>$70M</td>
</tr>
<tr>
<td>Maryland</td>
<td>/1992</td>
<td>52</td>
<td>$106M</td>
</tr>
<tr>
<td><strong>North Carolina</strong></td>
<td><strong>/1968</strong></td>
<td><strong>80</strong></td>
<td><strong>$163M</strong></td>
</tr>
<tr>
<td>South Carolina</td>
<td>/1980</td>
<td>13</td>
<td>$27M</td>
</tr>
<tr>
<td>Virginia</td>
<td>/1970</td>
<td>68</td>
<td>$139M</td>
</tr>
<tr>
<td>West Virginia</td>
<td>/1971</td>
<td>28</td>
<td>$58M</td>
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CDC Findings:

North Carolina’s motorcycle helmet law results in greater savings in health care costs and productivity, per registered motorcycle, than any other state in the nation.
Despite the effectiveness of motorcycle helmet legislation, many states have repealed these laws during the last decade.

Aspects often neglected by policymakers are who pays for the care of these victims and how much of these cost is subsidized by public funds.”

Journal of the American Medical Association

What is the cost of weakening North Carolina’s universal motorcycle helmet law?
What could North Carolina expect in terms of hospitalized motorcyclists with TBIs and associated charges if North Carolina did not have a universal helmet law.

Methods Summary

Compare North Carolina motorcycle-related hospital charges to three “surrogate” populations without helmet laws: PA, FL, SC
### Summary Results

**TABLE 1. Actual and Counterfactual Hospital Inpatient Charges for Motorcyclists with Traumatic Brain Injury\(^1\), North Carolina, 2011**

<table>
<thead>
<tr>
<th>Source or Substitute Population</th>
<th>Annual Number of Motorcycle TBI Inpatients</th>
<th>Average Hospital Charge per Motorcycle TBI Inpatient</th>
<th>Hospital Inpatient Charges for Motorcycle TBIs</th>
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<tr>
<td><strong>A. Universal Motorcycle Helmet Law In Effect (Actual)</strong></td>
<td></td>
<td></td>
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<tr>
<td>North Carolina 2011</td>
<td>275</td>
<td>$83,428</td>
<td>$8,624,989</td>
</tr>
<tr>
<td><strong>B. No Universal Motorcycle Helmet Law (Counterfactual)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Florida 2000(^2)</td>
<td>501</td>
<td>$96,359</td>
<td>$18,150,504</td>
</tr>
<tr>
<td>Pennsylvania 2003(^3)</td>
<td>490</td>
<td>$110,125</td>
<td>$20,265,264</td>
</tr>
<tr>
<td>SC Residents Treated in NC(^4)</td>
<td>465</td>
<td>$104,814</td>
<td>$18,312,705</td>
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**190 fewer admissions** for motorcyclists with TBIs with the universal helmet law

**Total charges were approx. \(\frac{1}{2}\)** with a universal helmet law

- **$22.9 million** rather than **$48.3 million**

  **$25.4 million** increase if universal law weakened

**$9.5 million** increase in *public funding* if helmet law weakened
Expected charges for NC hospitalizations due to motorcycle crashes, 3,737
motorcycle cases resulting in hospitalization, 2009-2011

- 4% TBI
- 7.4% non-TBI
- 25.6% More than $100,000 per case
- 15.2% Less than $10,000 per case

Death is the tip of the iceberg for the cost of repealing a Universal Motorcycle Helmet Law
Current North Carolina Universal Motorcycle Helmet Law

- All Riders and passengers must wear a safety helmet when riding a motorcycle.
- $25.50 fine + ~$130 court costs for violating the law.
Proposed Changes of House Bill 109 (2013-14)

A person 21 years or older may operate a motorcycle without wearing a safety helmet if the operator:

- Holds a motorcycle license more than 12 months or
- Successfully completes a Motorcycle Safety course and
- Has $10,000 medical insurance policy for motorcycle operation.*
- Passengers over 21 years or older can ride without a helmet if the operator is allowed to operate a motorcycle without a helmet and has $10,000 medical insurance.
- Remove Court Costs (~$130)

* Reportedly not permissible under NC’s Insurance law, no policy like this can be offered.
Membership Services:

“1445 members current. Lost 345 members since this time last year. 509 of those 1445 are lifetime members so really only 936 members actually paying dues each year statewide.”

State Meeting Notes, ABATE NC, 3rd Quarter Newsletter 2014
• Deaths in the <21 age group increased **188%** after partial repeal of the helmet law in Florida.
• When **99.25%** of riders are exempted from wearing a helmet enforcement becomes a low priority for police.
• **It's a new driver issue**; learning to drive is hard, learning to ride without reinforcement of helmet use is deadly.
CBA/ABATE NC members are organized, focused, visible, vocal, have legislative "champions", and legislative success.

Wednesday, 21 May was a beautiful day for riding a motorcycle, but 56 people were on hand at the Holiday Inn Express on Hillsborough St. in Raleigh to fight for their rights as motorcyclists. At least 13 CBA chapters were represented, a few independent riders and other non members were also present. CBA Legislative Director Bill Starnes gave a briefing on the hot button legislative issues we wanted to be addressed, and the attendees left the meeting armed with the issues and a response sheet to fill out on each legislator that they talked with. After taking a four block stroll through downtown Raleigh, they got down to business at the NC Legislative Bldg, and the Legislative Office Bldg. Many had made appointments with their legislators so they would have a better chance at getting the face to face interaction. Others left information with the Legislative Assistants to be passed on.
Motorcycle Helmet Law Repeal Strategy

A full repeal of the law isn’t politically feasible.

Get the same results by weakening the current law so it isn’t enforced.

• Reduce fines, eliminate court costs
• Exempt riders covered by age

Offer compromises that appear to address health and cost.

• $10,000 Insurance requirements

Assert the current law is unfair, offer apparent compromises to the current law.

Render the law unenforceable.
## Two Stories about Motorcycle Helmets

### Argument for Repeal

- **Freedom** - It's about the freedom of adults to choose.
- "**Let those who ride decide.**" Non-riders are imposing the helmet choice.
- Helmets aren't effective, data used to promote helmet effectiveness is wrong, data's been manipulated by feds to hide the truth.

### Don't Mess with NC's Universal Helmet Law

- The current law has worked very well for 47 years and is very popular among a large majority of motorcyclists in NC.
- Changing the law is an expensive unfunded mandate that all taxpayers and insurance policy holders will fund.
- Helmets Laws work.
  - 28 states have weakened their law; deaths, head injuries, and costs have gone up 20-40% in all 28 states.
The helmet law repeal effort’s goal is to displace the story of NC’s Universal Helmet Law’s effectiveness, popularity, and value with their story of a nanny state infringement on personal freedom.

We’re not trying to convince the pro-repeal advocates they’re wrong; We are trying to **remind and reinforce** the public and law makers that the current policy is sound, reasonable, popular, and effective and reject this new argument.

We’re not going to convince the pro-repeal advocates they’re wrong and we don’t have to; We want to reinforce that the current policy is right.

Arguing their points legitimizes their argument and **takes away from presenting our story**.

• Research on countering wrong messages shows it reinforces their point.
Unlike the Transportation Committee, the House Judiciary B Committee hearing was an open forum

Public Speakers Opposing H – 109
• Bob Crosby, Carolina’s AAA
• Dr. Steve Marshall, UNC Injury Prevention Research Center
• North Carolina Academy of Emergency Physicians

In Favor of H 109 - Doc Ski, ABATE NC’s Lobbyist

4 Committee members spoke in opposition to H-109, citing personal experience with brain injured survivors

Committee adjourned with no vote on the bill, no member would make a motion on the bill
What can Trauma do?

• Continue voicing your position on the issue.

• Let your legislators know where you stand on preserving the motorcycle safety helmet law.

• Use Local Media
  • Tell your side of the story, what happens in your community with a trauma case
  • Invite reporters to tell the trauma story
  • Challenge wrong stories

• Show up at Legislative Committee Meetings in “uniform”
**Expectations for 2015**

- A bill(s) like H 109 will be introduced, a partial helmet repeal.
- Bills will move through Transportation and Judiciary Committees.
- Repeal advocates have a strong advantage in the Transportation committees, anything but their message will have limited voice.
- Judiciary was an open forum, better venue to be heard bill.
- Be prepared to react quickly. Slow the process.
- Get a fiscal note attached – Medicaid increases.

**What worked**

- Brain Injury advocates reaching key legislators
- Emergency Physicians and Trauma, they were seen and heard
- Medicaid costs
- Media coverage, getting the story out
- Credible Experts
- Diverse Partners
Motorcycle Safety

The popularity of riding in North Carolina has grown dramatically: In the past decade, the number of registered motorcycles has increased over 64 percent (from 111,051 in 2001 to 182,836 in 2010). Motorcycle riders are much more likely to be killed or seriously injured than occupants of passenger vehicles. Per mile traveled, the number of motorcyclist deaths is about 26 times the number of vehicle occupant deaths. The reason for this is that motorcyclists do not have the passenger protections offered by cars such as seatbelts, airbags, crush resistant passenger compartments, and more.

What can be done to save lives, reduce injuries, and minimize societal costs of motorcycle crash injuries?

http://injuryfreenc.org/injury-topics/transportation-safety/motorcycle-safety/