

SENATE BILL REPORT

SB 5156

As of February 1, 2017

Title: An act relating to motorcycle helmet use.

Brief Description: Concerning motorcycle helmet use.

Sponsors: Senators Brown, Rivers, Angel, Sheldon, Takko, Fortunato and Warnick.

Brief History:

Committee Activity: Transportation: 1/30/17, 2/16/17 [DPF].

Brief Summary of Bill

- Allows persons age 18 or older to operate a motorcycle without a helmet.
- Requires persons age 18 or older who operate a motorcycle without a helmet to carry a motor vehicle liability policy, self-insurance, certificate of deposit, or a liability bond.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Kim Johnson (786-7472)

Background: Currently, persons riding motorcycles, motor-driven cycles, and mopeds in Washington State are required to wear motorcycle helmets. This is called a universal helmet law. According to the Insurance Institute for Highway Safety, nineteen states and the District of Columbia have a universal helmet law. Twenty-eight states have laws requiring only some riders to wear a helmet, usually riders under a certain age. Three states have no helmet requirement.

Summary of Bill: Persons riding a motorcycle, motor-driven cycle, or a moped under the age 18 are required to wear a motorcycle helmet.

Persons age 18 or older, who do not wear a helmet while operating a motorcycle, motor-driven cycle, or a moped are required to be insured under a motor vehicle liability policy, carry self-insurance, be covered by a certificate of deposit, or be covered by a liability bond. Proof of financial responsibility must be provided upon the request of law enforcement officer in the proper format.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill is about choice. I believe strongly that people have the choice to wear a helmet or not when riding a motorcycle.

We are very concerned with our own safety, it is absurd to think that we have not considered the safety issues in this debate. It should be up to a citizen to make a decision about your own personal safety. Wearing a helmet can actually cause a rider to be injured. A 2010 Centers for Disease Control study on traumatic brain injuries found that car occupants are ten times more likely to go the emergency room with a head injury than a motorcyclist, six times more likely to be hospitalized than a motorcyclist, and more than four and a half times as likely to die from a head injury than a motorcyclist. Yet, we don't require car occupants to wear a helmet. The 2007 NHTSA Report indicated that 4 out of 5 motorcyclists were killed by injuries other than a head injury. The helmet is irrelevant from anywhere to a fifth to a third of all motorcyclist deaths. The Governor's Highway Association released a 2016 report that identified 16 states that had a reduction in motorcyclist fatalities, 10 of which were helmet by choice states.

One-size-fits-all helmet laws are unsafe. You need to put the rider's safety in the rider's hands. According to the National Center for Health Statistics, only 0.001 percent of all healthcare costs are attributable to motorcycle accidents and of that only a very small fraction are attributed to helmetless riders, and that the majority of those health care costs are covered by private insurance. Helmet safety testing is not thorough. Wearing helmets when you are a smaller person or a person who has back, neck, or spinal issues can actually cause pain and injury and reduces the amount of time a person can ride.

CON: I was in an accident after deciding to not wear my helmet. No one decides when they want to have an accident. I made a mistake when I did not wear a helmet. The impact to my family was not worth the choice I made.

Washington has done this before from 1977 to 1990, and the results were that fatalities went up dramatically. Motorcycles make up only 4 percent of the vehicles in Washington, but represent 17 percent of the fatalities. 7 percent of the 367 motorcyclists who died in Washington over the past five years were not wearing helmets. Accidents will continue to happen and without helmets people will be hurt seriously.

Persons Testifying: PRO: Senator Sharon Brown, Prime Sponsor; Brian Lange, ABATE of Washington; Micki Robinson, ABATE; Scott Robinson, ABATE; Keith Parkison, ABATE of Washington; Joseph Sullivan, Spanaway Chapter ABATE; Rachel Ahola, ABATE of WA Tacoma Chapter; Todd Snyder, ABATE; Louise Bentley, ABATE; Larry Walker, Washington Road Riders Association; Randall Vanadisson, Coalition of Independent Riders (C.,O.I.R).

CON: Captain Monica Alexander, Washington State Patrol; Shelly Baldwin, Traffic Safety Commission; John Snaza, Thurston County Sheriff.

Persons Signed In To Testify But Not Testifying: No one.