



BikePAC of Idaho, Inc.

Dedicated to the Pursuit and Preservation of Liberty

RE: House Bill 534

TO THE HONORABLE MEMBERS OF THE HOUSE JUDICAIY COMMITTEE

We respectfully write you in regards to House Bill 534, Montana's mandatory helmet bill and ask you to *VOTE NO!*

It would seem that mandating helmet use for motorcyclists is a just a good idea and common sense. In reality, the use of a motorcycle helmet does not affect the rate that accidents occur between motorcyclists and other vehicles. They *may* protect a person in certain instances but most of the time and nationwide statistics have proven that, accidents involving motorcycles with other vehicles have been historically and percentage wise the fault of the other vehicle driver failing to *yield right of way*.

The majority of those injuries statistically are to the torso and other parts of the body, *which a helmet does not protect*. It is also a statistical fact that helmets have been shown to be ineffective in a direct impact of more than 17 miles per hour. There is no clear consensus on what constitutes a proper helmet and with thousands of models available and most being imported, who has the ultimate responsibility for proving that a helmet will meet recognized standards? Many motorcyclists already chose to wear a helmet so passing a law to enforce the minority will have little effect on overall statistical data, accident prevention and injuries.

In 1991 in Idaho, one of our House Representatives did introduce a mandatory adult helmet law into the House Transportation and Defense Committee. With information provided in opposition to that bill by several motorcyclists' right organizations at that time, the sponsor graciously withdrew her bill and Idaho *has not* had another helmet bill introduced to this date.

We *did not* challenge that bill to protect individual freedoms though personal freedoms and responsibilities are extremely important to us; we *did not* challenge that bill because we were against motorcycle safety, but we *did* challenge that bill because the data that was presented, facts and figures, etc, was totally inaccurate and not related to the evidence of head injuries because of non use of helmets. The fact is that a rider can still sustain a serious head and neck injury even with a helmet in many instances.

Soon after that bill was withdrawn, that same legislator worked with motorcyclists across Idaho and not only supported an endorsement law, but also a program to educate and provide safety training to new riders. That *STAR* (Skills Training Advantage for Riders) program is in effect today and along with ongoing efforts for motorcycle training and motorcycle awareness programs, the rate of accidents percentage wise has been reduced. Our organization, *BikePAC of Idaho, Inc.* is in the process of implementing *Motorcycle Awareness Classes* to local driver's education students and hopefully it will be adopted statewide in the future. Idaho had 60,000 registered motorcycles in 2005 per the Idaho Transportation Department, which I believe is considerably more than Montana.

As experienced motorcyclists, we can testify to the fact that when we wear a motorcycle helmet, we do not feel any safer. Inexperienced riders, especially younger ones, may possess a false sense of safety and take more risks than an older or more experienced rider. We have all seen younger motorcyclists wearing full faced helmets along with shorts, t-shirts and sometimes tennis shoes or less.

If accident prevention and safety is the issue, then *pro-actively* support efforts of state training programs and along with local motorcyclist's rights organizations implement motorcycle awareness programs to the driving public. Educating with informational programs will be far more effective than implementing laws that do *absolutely nothing* to decrease the rate of motorcycle related accidents.

Unless you are presented with *true, documented statistical data* that supports implementing a mandatory helmet law, and those facts are *unequivocally accurate and verifiable* as to the source and as it applies specifically to Montana, we respectfully urge you again to please *VOTE NO on HB 534*.

Respectfully,

Board of Directors
BikePAC of Idaho, Inc.

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P.S. As a point of reference

Butch Harbaugh and Tim Herzog proudly serve on NCOM's, *National Coalition of Motorcyclists*, Legislative Task Force and bring 40+ years of combined political involvement and knowledge to the motorcycling community along with working with state and federal legislators.