

HCS HB 576 -- MOTORCYCLE HELMETS

SPONSOR: McCaherty

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on General Laws by a vote of 9 to 2. Voted "Do Pass" by the Committee on Rules- Legislative Oversight by a vote of 7 to 4.

Currently, an individual operating or riding as a passenger on any motorcycle or motortricycle upon any state highway must wear protective headgear when the vehicle is in motion. This bill modifies the requirement to individuals under 21 years of age.

Qualified motorcycle operators over 21 years of age, who have completed a motorcycle safety education course or who have possessed a motorcycle license for at least two years, may operate a motorcycle or motortricycle upon state highways without protective headgear if they are covered by a health insurance policy. Proof of insurance shall be provided upon request. The bill specifies that a person 21 years of age or older may not be pulled over by a law enforcement officer solely to determine compliance with the helmet requirements of the bill.

This bill is similar to SCS HB 1464 (2016).

PROPONENTS: Supporters say that this is a personal choice issue. A motorcycle rider should have the choice of whether or not to wear a helmet without government interference. Helmets don't save lives, they are just designed to reduce injury. We should be stressing accident avoidance techniques not helmet use.

Testifying for the bill were Representative McCaherty; Bob Hawkins; William Kempker, Freedom Of Road Riders; Abate, Missouri; and Joe Widmer.

OPPONENTS: Those who oppose the bill say that helmets are the most effective means of preventing injuries. After Florida passed a similar bill the number of serious, nonfatal, motorcycle related injuries increased by 32%. An individual who suffers from a traumatic brain injury after a motorcycle accident can incur over \$650,000 in medical costs during the course of his or her lifetime; the average cost of a hospitalization is \$311,000. The government has an interest in protecting the lives of its citizens. We have speed limits and drunk driving prohibitions--we don't leave those decisions up to the individual and we shouldn't leave this one.

Testifying against the bill were Maureen Cunningham, Brain Injury Association of Missouri; Robert Grider, Missouri Motorcycle Safety (MMSP); Missouri State Medical Association; Missouri Psychiatric

Association; Missouri Hospital Association; AAA Auto Club of Missouri; Missouri College of Emergency Physicians; Michael Sparks; Missouri Academy of Family Physicians; and Bill Whitfield, Missouri Department of Transportation.