

**MINUTES OF THE
SENATE COMMITTEE ON TRANSPORTATION**

**Seventy-Eighth Session
February 26, 2015**

The Senate Committee on Transportation was called to order by Chair Scott Hammond at 8:31 a.m. on Thursday, February 26, 2015, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada, and to Great Basin Community College, High Tech Center, Room 137, 1500 College Parkway, Elko, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Scott Hammond, Chair
Senator Don Gustavson, Vice Chair
Senator Patricia Farley
Senator Mark A. Manendo
Senator Moises (Mo) Denis

GUEST LEGISLATORS PRESENT:

Assemblyman Phillip (P.K.) O'Neill, Assembly District No. 40

STAFF MEMBERS PRESENT:

Megan Comlossy, Policy Analyst
Darcy Johnson, Counsel
Martha Barnes, Committee Secretary

OTHERS PRESENT:

James Kimsey
Pete Vander Aa, Program Administrator, Program for the Education of
Motorcycle Riders, Office of Traffic Safety, Department of Public Safety
Tony Yarbrough, Veterans of Foreign Wars of the United States, Department of
Nevada
Victor Moss, Certified Motorcycle Safety Instructor

John Bland, President, A.B.A.T.E. of Northern Nevada, Inc.; Nevada Representative, Motorcycle Riders Foundation
Dale Andrus, A.B.A.T.E. of Northern Nevada, Inc.
Rick Eckhardt, Northern Nevada Confederation of Motorcycle Clubs
Gary Mack, A.B.A.T.E. of Northern Nevada, Inc.
Bob Haas, Northern Nevada Confederation of Motorcycle Clubs
Michael Corbett
Danielle Kohler, A.B.A.T.E. of Northern Nevada, Inc.
Tom Juraisey
Eric Spratley, Lieutenant, Sheriff's Office, Washoe County
Robert Roshak, Executive Director, Nevada Sheriffs' and Chiefs' Association
Abby Hudema, R.N., Trauma Program Manager, University Medical Center of Southern Nevada

Chair Hammond:

I will open the hearing on Senate Bill (S.B.) 145.

SENATE BILL 145: Authorizes a nonresident who is a member of the Armed Forces of the United States and is stationed in Nevada to enroll in the Program for the Education of Motorcycle Riders. (BDR 43-71)

James Kimsey:

I am a certified instructor in accident scene management but am testifying as a private individual. This bill originated from a series of meetings among members of the public, Legislators, the Nevada Rider Motorcycle Safety Program and the military to address motorcycle education and training in Nevada. Senate Bill 145 relates to the Department of Public Safety Program that sponsors education programs through colleges and some corporate providers such as Harley-Davidson, Inc. An out-of-state resident is not allowed to enter the Department's Nevada Rider Motorcycle Safety Program or take advantage of the fee of \$150 for the course.

Senate Bill 145 was suggested to allow members of the military, out-of-state residents stationed in Nevada, to enter the Nevada Rider Motorcycle Safety Program for motorcycle training. There are training programs available for military personnel on the base. In certain instances, members of the military are unable to complete the programs offered and the only alternative providers are at the colleges or with Harley-Davidson. There have been more members of the military lost due to fatal motorcycle crashes than to the War on Terror. Most of

the military bases in Nevada require individuals who own motorcycles and are housed on the base, to be properly licensed, registered and trained to ride them.

This bill will allow the nonresident members of the military, living on base, to enroll in the Nevada Rider Motorcycle Safety Program course at a college or other facility. There have been some suggestions to consider additional language recognizing the on-base programs, as they are approved and contracted through the federal government. There is an instructor approved through the U.S. Department of the Air Force and the U.S. Department of Defense (DOD) who utilizes the motorcycle safety foundation criteria at the Nellis Air Force Base. These criteria are also recognized by the State for private classes.

The U.S. Navy awarded a contract to Total Control, which is the contractor for all safety programs in the states of California and Texas. Both the Total Control program and the Nevada Rider Motorcycle Safety Program are good programs; however, the Total Control program is not recognized in Nevada for the purpose of licensing.

As written, S.B. 145 allows a military nonresident individual to enter the Nevada Rider Motorcycle Safety Program at the same cost. The additional language would recognize the on-base programs through a contractor used by the federal government for the procurement of policies and procedures. The programs would include the Nellis Air Range and the Total Control program at the Fallon Naval Air Station.

Chair Hammond:

How many service personnel would you anticipate to complete this program if it was available to them?

Mr. Kimsey:

I do not have an exact number because the DOD has initiated on-base programs. We train approximately 3,000 riders in southern Nevada each year through the Nevada Rider Motorcycle Safety Program and through on-base training. I would anticipate it would be an additional 50 to 100 individuals because of the availability of the on-base training.

Chair Hammond:

Do you anticipate the on-base training could be eliminated as other programs are offered for military personnel?

Mr. Kimsey:

No. The on-base programs are being expanded, and it is the policy of the DOD to maintain the on-base programs for the safety and security of their own personnel. This allows a small group of people with cost circumstances, living situations or the availability of time to participate in a program, with options. This would be a supplement rather than a replacement.

Chair Hammond:

Why do we need to allow out-of-state residents to take this course? Prior to the proposal of this bill, could military personnel take the course no matter what it cost?

Mr. Kimsey:

Military personnel cannot take the Nevada Rider Motorcycle Safety Program sponsored course, but they can take a training course through an independent provider such as Harley-Davidson.

Chair Hammond:

What is the difference in cost?

Mr. Kimsey:

The difference in cost is approximately \$200 to \$300.

Pete Vander Aa (Administrator, Program for the Education of Motorcycle Riders, Department of Public Safety):

The statute in question was written about 24 years ago. The funding for the Nevada Rider Motorcycle Safety Program is paid for with a \$6 motorcycle registration fee collected by the Department of Motor Vehicles (DMV). The intent for the program is to use the funding from Nevada motorcyclists for the education of Nevadans. The statute was written to allow only a resident of Nevada to enroll in the program.

Early in year 2000, the military began motorcycle training because they determined the number of motorcycle fatalities was not acceptable. As

Mr. Kimsey stated, the military began offering motorcycle training courses on-base.

I reviewed the U.S. Navy regulations and in order to ride on or off the base, military members must complete a level one motorcycle safety course. Then within 60 days, they must complete a level two course and a higher level course every 3 years. There are also additional requirements addressing the wearing of proper equipment. Nellis Air Force Base and the Fallon Naval Air Station have courses taught on the base. The Nevada Army National Guard in Stead and Carson City do not have their own courses, but do have similar requirements.

Senate Bill 145 does not address licensing the individual to ride a motorcycle. The bill language allows an active duty, nonresident to take classes in order to comply with military regulations. If the military member is a Nevada resident, that person may be able to use the completion of the class to obtain a motorcycle license if the motorcycle safety curriculum is used. If the military member is a nonresident, that person may be able to use the class for licensing in his or her home state if a reciprocity agreement exists.

As clarification, the bill does not say Nevada will give a nonresident a Nevada license. A course is not available on-base, such as at the Fallon Naval Air Station. Some military members from the Fallon Naval Air Station complete a course offered by Western Nevada College.

Assemblyman Phillip (P.K.) O'Neill (Assembly District No. 40):

I lend my support to both active military personnel and retired veterans. This bill addresses active military service personnel. I have been an instructor of motorcycle safety classes. Active military personnel who are not Nevada residents have had to take motorcycle safety training courses through various community colleges. We would like to clean up the language so it is appropriate for military personnel to participate. I have not seen the amendment, but I support S.B. 145 fully.

Chair Hammond:

Are you talking about the amended language as noted in the original version of S.B. 145?

Assemblyman O'Neill:

My support is to S.B. 145 as written and presented. I understand there may be a proposed amendment to allow some military courses to suffice for the Nevada Rider Motorcycle Safety Program course for licensing.

Chair Hammond:

We have not seen any amended language for S.B. 145. If anyone has any amended language, please work through a member of the Committee so we have the language changes as soon as possible and allow the sponsor to review the proposed changes.

Tony Yarbrough (Veterans of Foreign Wars of the United States, Department of Nevada):

The Veterans of Foreign Wars of the United States (VFW) supports S.B. 145 as written and whatever we can do for veterans in any way is welcome.

Victor Moss (Certified Motorcycle Safety Instructor):

As clarification, Cape Fox is not the motorcycle education contractor at Nellis Air Force Base. I am a private provider who has conducted training and hired employees for the past 11 years under an open bid process. I compete against Cape Fox and have competed against the College of Southern Nevada and the Harley Davidson program for that federal contract. The Total Control program used at the Fallon Naval Air Station has never been in competition with us, as they offer a different training program. My issue with the Total Control program is that there is no oversight of their training.

There is no waiting period at the Nellis Air Force Base, and plenty of classes are available. We train approximately 350 to 450 students per year. The regulation addressed by Mr. Vander Aa is almost identical in wording to the Air Force instructions, both state that service members cannot be forced to take leave to attend these classes and the time must be granted when there is an opportunity to attend a class. We have provided the motorcycle safety and training course as needed.

The change to S.B. 145 is a misnomer. The \$150 fee is not a fee but tuition. Students sign up for classes at the College of Southern Nevada, Truckee Meadows Community College, Western Nevada College or Harley-Davidson and go online to pay for the class. The student pays whatever fee is shown by the provider. At the colleges, where a contractual agreement

has been signed with the Nevada Rider Motorcycle Safety Program, no more than \$150 per student can be charged.

The cost of the course used to be \$100. The colleges could not run this program for \$100, so the Nevada Rider Motorcycle Safety Program subsidized the training to cover the cost. The colleges must run in the black with these programs.

When the fee was raised to \$150, the College of Southern Nevada did not receive the subsidy. If the language changes, it will allow the colleges to unfairly compete with my business and the contract at the Fallon Naval Air Station for federal business. The colleges will undercut us knowing they can be reimbursed by the Nevada Rider Motorcycle Safety Program up to \$150. We can make an assumption to charge \$138 per student and the college can bid \$100 knowing they could get an extra subsidy from the State.

Someone can always take a class, whether or not the individual can get a license is another issue. I have never seen a problem with any of my students receiving a license through the DMV as long as they meet all of the requirements. The individual can take their driver's license and a copy of their orders with proof of their enlistment in the military, to the DMV, and a motorcycle license will be issued with our training.

Chair Hammond:

Have you reached out to Senator Manendo about your proposed amendment?

Mr. Moss:

I did not come here to testify on S.B. 145, but I listened to the testimony and wanted to clarify some of the information provided. The change is not needed and will create unfair competition by a government entity against private business.

Chair Hammond:

If I took a course from you on the base, how much tuition would I pay?

Mr. Moss:

There is no cost to the student because the Navy and the Air Force provide that training under a service contract. Providers are selected through the bid process, and awarding the contract is relative to who provides the best service and cost.

Chair Hammond:

I would like Mr. Vander Aa to clarify how the contract works.

Mr. Vander Aa:

If a student from the Nevada National Guard or the Fallon Naval Air Station attends a motorcycle training class through one of the colleges, the military will be invoiced for the class as outlined in my presentation ([Exhibit C](#)). The student takes the class at no charge.

Chair Hammond:

I encourage you to contact the sponsor of the bill to work out any differences before it is brought back to the Committee for a vote. I will close the hearing on S.B. 145 and open the hearing on S.B. 142.

SENATE BILL 142: Revises provisions governing the equipment and training required to operate a motorcycle. (BDR 43-718)

Senator Don Gustavson (Senatorial District No. 14):

I have submitted Proposed Amendment 9687 drafted by the Legislative Counsel Bureau Legal Division ([Exhibit D](#)). Sections 1, 2 and 3 of the original bill have been deleted from S.B. 142. The language in *Nevada Revised Statutes* (NRS) 486.071, 486.131 and 486.161 will remain the same. The new language begins in section 3.3 of [Exhibit D](#).

I am pleased to introduce legislation that will create new jobs and generate millions of dollars of revenue for the State without raising taxes. States that have taken the lead on this issue have already raised taxes.

Senate Bill 142 will allow adults 21 years of age and older to decide for themselves when wearing a helmet is beneficial while riding a motorcycle, as allowed in most of the Country. The bill requires a 21-year-old driver to gain 1 year of experience before having the right to choose to wear a helmet while riding a motorcycle. Even with these changes, our laws will be stricter than many other states that have already reformed their helmet laws.

Most of the Country has repealed this outdated law and addressed the safety aspects and perpetuated myths making it mandatory to wear a helmet. In 1967, the federal government began requiring states to enact motorcycle helmet use laws to qualify for highway construction funds. Within 2 years, 40 states enacted universal helmet use laws under this threat, and by 1975, all but 3 states mandated helmet use for all motorcyclists.

When the U.S. Department of Transportation (DOT) attempted to assess financial penalties on the remaining states without helmet laws, the U.S. Congress responded by revoking federal authority to assess those penalties. During the next 2 years, 28 states erased mandates or modified laws to apply only to young riders, usually those younger than 21 or 18 years of age.

During the 1991 Intermodal Surface Transportation Efficiency Act, federal agencies interfered once again. They began bribing individual states to enact universal helmet use by creating incentives such as special grants. They threatened any states ignoring the incentives with the unfavorable option of being penalized up to 3 percent of their federal highway allotment to be directed instead to other programs.

Four years later, Congress acted once again for the rights of individual states, lifting all federal sanctions against those states without helmet use laws, and paved the way to allow freedom of choice. Since then, states began repealing and reforming mandated helmet laws and continue to this day. The state of Michigan completed an extensive economic impact study titled, "Economic Impacts of Modification to Michigan Mandatory Helmet Law" ([Exhibit E](#)), and realizing the benefits, repealed this mandate in 2012.

Today, 31 states have said no to the mandated use of motorcycle helmets and yes to the right to choose as outlined in the map ([Exhibit F](#)). Lacking the authorized ability to steal funds, these overreaching federal agencies have no choice but to travel to those few individual states with remaining laws still on the books and cherry-pick statistics in an attempt to scare legislators away from modifying the few current mandated enforcement laws left in place around the Country.

Senate Bill 142 will bring back the freedom of choice that we lost in 1971 when the federal government began their quest to blackmail individual states to mandate helmet usage by threatening the withholding of federal highway funds

just as they did with the 55 miles per hour (mph) speed limit. Many of you may remember that.

It is time for Nevada to bring back its sovereignty like much of the rest of the Country has already done. The threat of withholding funds expired many years ago; Nevada no longer has a mandated 55 mph speed limit, why do we still have the helmet law?

Some will say, "Maybe we will all just be safer," but this statement could not be farther from the truth. There may be some overbearing agencies on hand to oppose this bill. Therefore, when one of these agencies such as the National Highway Traffic Safety Administration (NHTSA) tells you that X number of riders will be saved if everyone continues wearing a helmet. I would remind you that NHTSA also reported, while Congress was preparing to lift all federal speed limit controls, there would be thousands of additional yearly fatalities if the 55 mph was repealed.

In fact, those additional deaths never occurred and fatalities actually decreased. The point is, NHTSA arbitrarily makes statements and then passes it off as research. During this hearing, I will provide you with information that proves that mandated helmet wearing has not lessened the so-called "social burden" or provided the safety benefits some would expect. The mandate of wearing a helmet while riding a motorcycle can be a hindrance to the safety of riders who are forced to wear them.

The best safety device for any motorcyclist is a good motorcycle rider safety program. Nevada has one of the finest in the Country conducted by the Department of Public Safety. In fact, the Nevada Rider Motorcycle Safety Program received the Outstanding State Program Award from the Motorcycle Safety Foundation.

When Arizona repealed its helmet law and implemented a new rider safety awareness program, the number of motorcycle fatalities fell even as motorcycle registrations increased 41 percent in the first 2 years. The Arizona Governor's Office of Highway Safety attributed this progress to the new safety awareness program as outlined in the graphs ([Exhibit G](#)).

Most riders in Nevada are experienced drivers who ride expensive motorcycles, and they know how to ride defensively to protect themselves and their pride

and joy. Unfortunately, some riders become less safe because helmets give them a false sense of security while decreasing their mobility and ability to see and hear.

Other testifiers may say, by not wearing a motorcycle helmet the rider could receive a head injury and become a burden on the State. With all due respect to those who have received head injuries, I sympathize with them. The motorcycle riding population is the least affected group receiving head injuries.

The highest rate of deaths and hospitalization due to traumatic brain injuries (TBI) are in the age demographic over 65 and not the average motorcycle rider as outlined in the graphic outline ([Exhibit H](#)).

More brain injuries occur to people who fall down. When traffic accidents are measured, the majority of TBIs are inflicted upon those injured in car accidents. Would it make sense to force helmet usage on pedestrians and occupants of cars? I have yet to see any Legislator mandate the wearing of a helmet for the rest of civilization, so why are motorcycle riders singled out when they are far from being the leading cause of head injuries?

If the objective is to reduce head injuries, then our focus should be aimed first at the major causes. There are many serious injuries caused by wearing a helmet, including death, neck and spinal injuries, and permanent paralysis. It is factual to say helmets do not reduce accidents or guarantee safety. Just wearing a helmet while stuck at a traffic signal during 100-plus degree weather can be detrimental to a person's immediate health. Your vote on S.B. 142 should not be based on emotion or feelings, but facts and common sense.

Another benefit to S.B. 142 is an increase in jobs and tourism when the bill becomes law. This bill is about motorcycle riders and the economy of Nevada. Florida experienced a 143 percent increase in motorcycle registrations during the first 5 years after modifying their mandatory helmet law to exclude adult riders in my helmet law reform outline ([Exhibit I](#)). This change boosted revenues derived from sales tax and registration fees. Additional revenue to the State was generated by motorcycle enthusiasts enjoying Bike Week and Biketoberfest, funneling \$3 billion into the local economy from these two events during a 5-year period, following the repeal of the mandatory helmet law.

Here, where tourism took a big hit, Nevada hosts several events such as the Laughlin River Run, Las Vegas BikeFest, Elko Motorcycle Jamboree and the Street Vibrations event in Reno. Riders outside the State are watching to see if we modify this law, because they are ready to arrive in large numbers when we do.

After the state of Pennsylvania modified its law in 2003, their Thunder in the Valley event attendance increased from 70,000 to over 100,000 the very first year. There are more economic statistics to share from other states.

Motorcyclists have plenty of discretionary income to spend. When they come to Nevada events, they stay in our hotels and eat in our restaurants. There are other experts here today who will focus on the fiscal benefits available to the State. Some of you may have embedded concerns about motorcyclists who choose to ride without headgear, and I will by no means ignore those concerns.

There are others in Carson City, Las Vegas and Elko who will provide statistics that mandated helmet wearing has not lessened the so-called social burden or provided the safety benefits some would expect.

The testifiers will provide information that enforced helmet wearing can be a hindrance to the safety of adult riders who are forced to wear them. These are the people who ride motorcycles and the ones who would know.

The repeal of this mandatory helmet law will increase revenues and jobs in our State without raising any taxes or fees.

In [Exhibit D](#) on page 2, sections 3.3 and 3.7 will combine all three-wheeled vehicles. "Trimobiles" are listed and regulated differently in NRS. Some trimobiles have two wheels in the rear and one wheel in the front, while newer models have two wheels in the front and one wheel in the back. These two sections will bring all three-wheeled vehicles into the same category as motorcycles. I would appreciate your support on S.B. 142.

Chair Hammond:

You provided a wealth of information to study. You used a term called risk-compensation when you talked about a rider wearing a helmet feeling invincible and could take more chances. This is discussed often in the National Football League (NFL), where much of the equipment has improved.

Helmets have gotten thicker and more protective, so the players throw their bodies around more and tackle using their heads because of the helmet protection. It creates more neck injuries, head trauma and concussions, so it is being researched. It is an interesting approach to talk about risk-compensation.

Assemblyman Phillip (P. K.) O'Neill (Assembly District No. 40):

I am a joint sponsor of S.B. 142, and it was a long and hard decision for me to sign on to this bill. I have been riding motorcycles since the late 1960s, both as a civilian and as a police officer. I have always ridden with a helmet, whether I was in an area where helmets are required or it is by choice of the rider. I attended some of the largest motorcycle events such as the Sturgis Motorcycle Rally in South Dakota, and in large metropolitan areas like Miami, Los Angeles and San Francisco. I know the value of riding and wearing a helmet. I have always chosen to ride with a helmet.

I am a motorcycle safety instructor and may be drummed out of the corps for supporting this bill. I believe it is a choice to wear a helmet. In my classes, I brought in a number of DOT-approved helmets and cut them in half to show the students what an approved helmet looks like and the protection it provides. This is part of the class curriculum. I also show the students novelty helmets that are not DOT-approved, so they can see the difference. I have also brought in helmets that were subjected to accidents and have provided a snapshot of how a student's head could have been cracked or lacerated without the protection of a helmet. I teach the class and provide information to the 21-year-old rider and older who should have the choice of riding with or without a helmet. I support S.B. 142.

Chair Hammond:

You understand and teach the risk to your students about riding a motorcycle and getting into an accident. Driving over 20 mph or 50 mph you understand what can happen to the skull in an accident. You choose to wear a helmet personally, but you also believe it should be the choice of the rider. Is that statement correct?

Assemblyman O'Neill:

Yes.

Senator Manendo:

Do you see law enforcement officers having a choice to wear helmets if this law passes?

Assemblyman O'Neill:

When I was a motor officer in Miami, Florida, I wore a helmet. The law may allow a choice but as an administrator, I would require my officers to ride wearing a helmet. They could remove their helmets once they get off their motorcycles. The helmet provides benefits to the rider, but it should be a choice for a person over 21 years of age. I have seen agencies using the flip helmets, and the officers will ride around with the helmets up. Wearing the helmets this way takes away some of the safety features and as an administrator, I would require the officers to ride with their helmets down.

Senator Manendo:

You as an administrator might require officers to wear a helmet, but others may not. I cannot imagine a Las Vegas Metropolitan Police Department Officer riding down the street on his motorcycle without a helmet. Depending on the administrative policy, I would think our law enforcement officers would always wear a helmet, but maybe they would not.

Assemblyman O'Neill:

I cannot speak for all officers, but if I were in an administrative position, I would require my officers to wear a helmet.

Senator Farley:

We received many statistics on fatalities. If the accident did not result in a fatality of the motorcycle rider, is the helmet seen as protection? If the rider is injured and the helmet protected the rider from a massive brain injury because that person was wearing a helmet, are there statistics for this type of accident?

Assemblyman O'Neill:

I have friends who have been involved in accidents wearing noncertified DOT helmets who have had minimal head injuries. I have known riders who have gone down and struck their head with minimal injuries. I do not have the statistics you are requesting. If a student rides with me, personally, I will be wearing a helmet. I believe it is good practice to ride with a helmet, but I respect the right to make that individual choice.

Senator Farley:

I am over 21, but if I drive without wearing a seat belt, I would receive a ticket.

Senator Gustavson:

With all of the statistics I gathered for this hearing, I have not seen statistics for fatalities and accidents of motorcycle riders. The statistics do not state if the death was caused by not wearing a helmet or if it was other body parts causing the fatality. The body, where most of the vital organs are housed, is exposed during a crash.

Senator Farley:

I would like to see statistics of motorcycle accidents that do not result in a death. A rider could slip through an intersection and lay down the bike, but is not wearing a helmet. If the rider slid on the helmet rather than on his or her bare head, the outcome could be very different.

Chair Hammond:

We will be hearing testimony from Abby Hudema from the University Medical Center Trauma Center in Las Vegas.

Assemblyman O'Neill:

Drivers are required to wear seat belts because the federal government provided funding for those states complying with the mandate. The NHTSA also attached funding for the states to comply with a mandatory helmet law. That carrot has been removed from the helmet law. If the money incentive is removed from requiring drivers and passengers to wear seat belts, there may be a legitimate argument for being an adult and making choices.

John Bland (President, A.B.A.T.E. of Northern Nevada, Inc.; Nevada Representative, Motorcycle Riders Foundation):

I have an email response to my request for information from the Centers for Disease Control and Prevention (CDC) regarding body part injuries causing fatalities in motorcycle crashes from J. Lee Annest, Ph.D., MS, Director, Office of Statistics and Programming, National Center for Injury Prevention and Control, CDC.

We do not have motorcyclist injury deaths tabulated by body region/part. With deaths there are usually multiple injuries and the primary body part affected is often difficult to determine. You

might search the literature to see if anything is published by body region for motorcyclist deaths. I did a search using <<http://www.safetylit.org/>> but did not see any articles surface on motorcyclist deaths by body part affected. There are public use multiple-cause-of-death files available upon request if you wanted to analyze those data.

My research concludes these statistics have never been kept. When the opponents to S.B. 142 present statistics and the percentages of injuries relative to fatalities by head trauma and helmet use, the statistics do not exist.

The Nevada Legislative Website tracks bills, and the public has the opportunity to make comments. Senate Bill 142 had the most comments on the Website yesterday. The comments show about 95 percent support for the passage of S.B. 142. The information I will be referencing is in my handout ([Exhibit J](#)).

Thirty-one states currently allow adult motorcycle riders to choose whether to wear a helmet. Nevada is only one of 19 states that do not. Senate Bill 142 merely brings Nevada in line with the majority of the United States. States that have repealed their mandatory helmet laws have seen increased revenues in motorcycle sales, registrations and tourism.

I am the founder of the Elko Motorcycle Jamboree. I work closely with Nevada tourism and have experienced the revenue generated by this event. We have pin board maps displayed during the event, and the majority of the attendees are from Sacramento, San Francisco Bay Area and southern California. Most motorcyclists are looking for a day's ride of 200 to 300 miles. A motorcycle ride from California into Reno or Las Vegas is the perfect weekend vacation. California is bordered by the Pacific Ocean or Mexico, so the riders will come to Nevada for a weekend ride; it provides a unique opportunity. Estimates for the first year of the Elko Motorcycle Jamboree brought \$1 million into the town of Elko. The event has grown every year, and it brings in close to \$10 million to \$15 million, now.

States allowing adults to choose to wear or not to wear a motorcycle helmet do not see a higher motorcycle fatality rate. This is the greatest concern expressed with S.B. 142. You will not see higher fatality rates in those states allowing adults choosing not to wear a helmet.

I have experienced heat exhaustion twice on the motorcycle and needed a chance to take off the helmet for a little while and reduce my body temperature. I became very sick and it took 3 or 4 hours of cooling down by drinking water before I could ride again. Heat exhaustion makes a person very dizzy.

According to the NHTSA data, between 2008 and 2011, jurisdictions with mandatory motorcycle helmet laws averaged 60.26 motorcycle-related fatalities per 100,000 registered motorcycles. Jurisdictions which allowed adults to choose whether to wear a helmet averaged 57.90 motorcycle-related fatalities per 100,000 registered motorcycles. The data conclude there are fewer fatalities in states that do not mandate helmet use for adults.

Another concern raised by the opponents to the bill is the cost and how it will affect insurance rates. States that allow adults to choose whether to wear a motorcycle helmet do not see higher motor vehicle insurance rates. Insure.com recently released a report on rates for 2014 reviewing the average motor vehicle insurance rates for each state. The average motor vehicle insurance rate in states that had mandatory motorcycle helmet laws was \$1,582.45. The average motor vehicle insurance rate in states that allowed adult riders to choose whether to wear a motorcycle helmet was \$1,451.45. Nationally, vehicle insurance is less in the states allowing the adult to choose whether or not to wear a motorcycle helmet.

Another concern is the cost of health insurance premiums. States that allow adults to choose do not experience increased health insurance premiums. The most recent report of average monthly individual health care premiums by the Kaiser Family Foundation looked at average monthly individual health care premiums by state for the year 2013. The average monthly individual health care premium in states with mandatory motorcycle helmet laws is \$267.53. The average monthly individual health care premium in states that allowed adult riders to choose whether to wear a motorcycle helmet is \$245.26. Nationally, health care premiums are less in the states allowing the adult to choose whether to wear a motorcycle helmet.

Groups such as the NHTSA and the CDC often use questionable methods to determine conclusions about the effectiveness of mandatory motorcycle helmet laws. The statistics are often referred to vehicle miles traveled (VMT). It is important to remember the Transportation Research Board of the National Academy of Science has warned that there is no uniformity of motorcycle VMT

estimation methods among the states and no validation of the accuracy of various methods.

I respectfully ask you to support S.B. 142. This issue is a matter of choice and personal freedom. If one has a governmental philosophy that individuals should make their own decisions absent of compelling governmental interest, then one would strongly support S.B. 142.

Dale Andrus (A.B.A.T.E. of Northern Nevada, Inc.):

On page 3 of my presentation ([Exhibit K](#)), there is a map indicating the states having no law, partial law or universal law regarding motorcycle helmets.

Chair Hammond:

The table on page 4 of [Exhibit K](#) shows a 100 percent increase in fatalities for Alaska, but in 2012, there were two traffic fatalities and in 2013, there were four traffic fatalities. The 100 percent increase is by two people. This is the reason we prefer numbers rather than percentages.

Mr. Andrus:

There are several states listed on page 4 of [Exhibit K](#) that have not had helmet laws forever. Between 2012 and 2013, there was a decrease in fatalities. The reason could be better rider safety programs or better riders, but there is no way to tell. The next chart of statistics on page 5 is from the Governors Highway Safety Association. The chart shows all states and the year helmet laws were enacted and the year helmet laws were repealed or the laws were modified for motorcycle riders 18 years old and 21 years old. Page 6 is also information taken from the Governors Highway Safety Association.

In summary, my experience is based on 45 years of riding and many hours in the last 15 years researching helmet laws and fatalities, year by year. There does not seem to be much difference in states with or without helmets. As it stands, the latest numbers show fatalities are down in 35 states and up in 13 states.

In Nevada, the current protective headgear law is not enforced. I have been told by many law enforcement departments that if I wear anything that appears to be a helmet, they will not stop or cite me. This puts law enforcement officers in a very awkward position. There is no training to identify a helmet other than it says DOT-approved.

According to the NHTSA, in states that do not have a helmet law, there are 60 to 66 percent of motorcycle riders who wear a helmet. If Nevada law were amended, it is statistically proven that 60 percent to 66 percent would still wear a helmet. Motorcycle riders in Nevada who wear beanie-type helmets are the most likely to not wear a helmet if the law were changed. It is proven fatalities are less in states where helmets are not required by law, according to the NHTSA, Insurance Institute for Highway Safety and the Governors Highway Safety Association. I ask you to pass S.B. 142.

Rick Eckhardt (Northern Nevada Confederation of Motorcycle Clubs):

I agree with all the speakers and have provided a copy of my written testimony ([Exhibit L](#)). We represent a few thousand motorcycle members of the Northern Nevada Confederation along with other organizations with which I am affiliated. Rider safety programs, rider education and requiring a motorcycle Class M endorsement to purchase a street motorcycle are the key elements to saving lives. There are more important issues than just wearing a helmet. Saving lives is the reason the helmet law was put into effect; however, there is a better way to reduce all accidents and to promote freedom and responsibility.

Will wearing a motorcycle helmet save your life? The debate has been going on since the first law was passed. There are several good arguments on both sides of the question. Personal responsibility and rider education are the keys to cutting down on motorcyclist injuries. It should be the rider's choice to wear a helmet or not to wear a helmet.

The kind of helmet should also be a choice. I wear a full-face, expensive modular helmet, and a rider should wear an expensive full-face helmet. Should I lobby to say each rider should purchase a full-face helmet and spend \$400? We cannot and should not enforce our opinions on others because when we do, it infringes on a person's rights and freedoms as Americans. I have friends who have attempted to use full-face helmets and they cannot wear them.

Referencing the statement about seat belts: one size fits all, but with helmets, they are very different. Many riders cannot wear a full-face helmet because they cannot turn enough. There is also a blind spot and in order to see behind, the rider must take one hand off the handlebars, which is illegal in some states. A seat belt covers everybody, but a motorcycle helmet does not due to the different types and styles. Some riders have neck injuries and cannot wear a full-face helmet because of the drag on their neck. If the rider wears a

loose-fitting helmet, it will be worse than not wearing a helmet. There are many different scenarios, and helmets are not universal.

It is unfair to motorcyclists that we bear the brunt of the helmet law because distracted driving is at an all-time high and our biggest concern is being hit. Drivers are still texting and still holding and talking on their cell phones while driving.

Several times a week, I hear stories from friends that have been cut off, or almost being run into and even run off the road. The driver was texting and did not even see the motorcyclist. Texting while driving is against the law. Enforcing laws will save the lives of motorcyclists. I am in favor of passing S.B. 142 and in favor of using the fee paid to register a motorcycle for more rider and driver education and rider safety programs. We can seriously look at making a difference in saving the lives of both motorcycle riders and vehicle drivers by providing better education. Driving and riding is a privilege and with that comes responsibility. Education is the key to making our roadways safe for everyone to enjoy.

Gary Mack (A.B.A.T.E. of Northern Nevada, Inc.):

After 122,300 miles, I was taken out on my motorcycle by a driver making an illegal left turn in front of me. I made a personal decision and was wearing a helmet. I support S.B. 142.

Bob Haas (Northern Nevada Confederation of Motorcycle Clubs):

I am in favor of S.B. 142 and agree with everything that has been said. In response to Senator Manendo's question about law enforcement not wearing their helmets, I work for Vail Resorts during the winter. Vail Resorts mandates that all employees that ski or snowboard for their job must wear helmets. Part of the gear for law enforcement would include a helmet. Wearing a helmet is a matter of freedom of choice and not just safety. There are no facts that say wearing a helmet is better.

Michael Corbett:

I am here to support S.B. 142. My wife and I live three miles from the Arizona border, so we ride in Arizona and Utah. We would like to come to Las Vegas, but about half of us doff our helmets, which are mostly beanies and not DOT-approved helmets. I am originally from Minnesota and worked for the department of public safety. We collected all of the statistics. We had

166,000 motorcycles and 46 fatalities. It is not good, but it is what it is. What was done in Minnesota regarding helmets was administratively mandated as part of the uniform.

Mr. Moss:

I know many rider coaches who have ridden for many years and are opposed to mandatory helmet laws. We talk about the benefits of wearing a helmet in class. The Nevada Rider Motorcycle Safety Program curriculum clearly states that the right to wear or not wear a helmet is a political issue. We try to direct back to risk management. The curriculum we teach through the Nevada Rider Motorcycle Safety Program is heavy on personal decision-making, risk management and good judgment. Anytime we have the ability to talk to motorcycle riders, it is beneficial.

Besides the program I taught at Nellis Air Force Base, I taught the second largest private program in Nevada and put through almost 6,000 students. About 500 of those students were already licensed riders who came through the experienced rider class, waiver license class. These people were riding illegally, and those who took the course were happy to talk as adults about how to manage the risk. Most of the people who wore the beanies were those who have less risk tolerance than those who would wear a full-face helmet. The riders who wear beanies will not be performing wheelies down the interstate. These are riders who just like to cruise on their motorcycles.

The U.S. DOT does not approve any helmets at all. It is a misnomer about helmets being DOT approved. The DOT drafted a set of standards for motorcycle helmets. A federal lawsuit has risen to the level of the U.S. Court of Appeals for the Ninth Circuit and is with the federal magistrate over the arbitrary and capricious enforcement of the law. It is costing Nevada and the municipalities in Clark County lots of time and money defending the law, which is impossible. No police officers are trained to determine which of the two helmets I have on the desk is approved by the DOT. One is the beanie and one is a full-face helmet. There are many of these helmets that have failed the DOT test, yet they say DOT approved on the back of the helmets. These issues are getting thrown out each time they go to court. Passing this law will save the courts, law enforcement, the State and private people time, effort and money to defend against a law that is arbitrary and capricious. I support S.B. 142.

Mr. Kimsey:

Nevada does keep statistics on helmet use and lives saved. This information is available on the Nevada Department of Transportation (NDOT) Website. In 2008, the estimate was 32 lives being saved by the use of a helmet. By 2012, it was zero and in 2013, 2014 and going into 2015 there are zero estimates of lives being saved by wearing helmets. The economic impact of the American Motorcyclist Association (AMA) and AIMExpo, which was held in Las Vegas is significant. Following the 2013 Legislature, the event moved to Orlando, Florida. The AIMExpo and the AMA Hall of Fame induction had a positive economic impact in Florida of over \$100 million each year, which was lost by Nevada. Passing S.B. 142 would give us a chance to have those events return.

I served in the military and by the age of 21, I could enter a casino legally, drink, begin my family and vote for the leader of the free world. Yet, to this day we cannot choose to wear or not wear a helmet. If we are willing to serve our Country by serving in the military, we should be able to choose whether to wear a helmet.

Danielle Kohler:

I am a lifetime member of A.B.A.T.E. of Northern Nevada. I am in full support of S.B. 142. Freedom of choice is very important for adults; we are adults and do not need other people telling us how to make our own personal choices. The validity or nature of wearing helmets has not been determined to save lives. There are too many variables with accidents with the types of helmets, so it is difficult to validate. Training and education are the best ways to reduce fatalities because defensive driving or riding will help us avoid ever having an accident.

The wearing of helmets relative to head injuries, even if you are wearing a helmet, the brain can still be injured because the brain itself is held within a liquid suspension inside the skull. The helmet may help to prevent injury to the outside of the skull, but it will not help the bruising that occurs if the head is impacted. Most injuries incurred during motorcycle accidents are actually injuries of the extremities; that is the nature of riding a motorcycle. We do not want to have accidents or be injured. We try to be as defensive as we can in order to be responsible riders. Thank you for your support of S.B. 142.

Tom Juraisey:

I ride a Harley and own a full-face and a half helmet. You should get into your car and put on a full-face helmet. I do not see how it can save my life. I want to make the choice myself without somebody telling me what I have to do.

Eric Spratley (Lieutenant, Sheriff's Office, Washoe County):

I was a motor cop for 7 years with the Washoe County Sheriff's Office and am a motorcycle rider myself. The Washoe County Sheriff's Office opposes S.B. 142. We appreciate the proponents of the bill providing all the data, statistics, facts and figures. We are in the business of public safety, and the public helps us with this mission by utilizing safe motor vehicle operation practices and equipment. We strongly believe helmets save lives. We cannot support the removal of safety equipment from the requirement to operate the motorcycle.

Previous testimony indicated the person 21 years of age or older would have to gain 1 year of experience before being able to choose not to wear a helmet. A person can obtain a motorcycle endorsement and then for the next year not ride the motorcycle at all. After 1 year, the person 21 years of age would be able to choose not to wear a helmet, but there is no proof the rider has gained operating experience during that time.

The age stipulation is problematic for law enforcement and would be difficult to enforce. As a primary offense, would it be sufficient to pull over motorcycle riders if they appeared to be under 21 years of age, or would we stop the driver of a motorcycle because the passenger appears to be under 21 years of age and not wearing a helmet? Are we then profiling motorcycle operators? This is not something we want to do.

Previous testimony indicated the safest thing for motorcycle operation is a good motorcycle rider safety program, and we agree. We support that mandate, but it has been removed from this proposal. For these reasons, the Washoe County Sheriff's Office cannot support S.B. 142.

Chair Hammond:

To your point about not targeting young riders, in Canada new drivers are required to put a letter in the back window of their vehicle identifying them as new drivers. There might be a way to place an identifying symbol close to the license plate on a motorcycle to identify the new driver. The courts would have

to use their discretion if law enforcement wanted to pull someone over for another reason.

Senator Gustavson:

Age is a difficult thing to determine and enforce, but no more difficult than to identify a person with a new driver's license or driver's permit. Someone can obtain a driver's permit on day one, and 6 months to a year later return to DMV and pass the test. The person never drove once during that time period. Many of these laws are difficult to enforce; we know a majority of the drivers will obey the law, but we also know not everybody does.

Mr. Vander Aa:

I am speaking on behalf of the Department of Public Safety in opposition to S.B. 142. In 2014, there were attempts in ten different states to repeal existing all-rider helmet laws and none were successful as shown in my presentation ([Exhibit M](#)). All ten states determined a need for all-rider helmet laws to remain in place. I have attached reports and studies for your review.

When Louisiana repealed its helmet law in 1999, the fatality rate per 10,000 riders increased dramatically. In 2004, the universal helmet use law was reenacted and has been in effect ever since. Michigan state representatives determined they had made a mistake back in 1999.

The state of Michigan modified its helmet law in April 2012. The current law to ride without a helmet requires a rider to be at least 21 years old, have \$20,000 in first-party medical benefits and have a motorcycle endorsement for at least 2 years or have passed an approved motorcycle safety course.

This past November, the University of Michigan completed an analysis of the years 2009 through 2013, which was before and after the helmet law was changed. The study is included in [Exhibit M](#). Helmet use dropped from 98 percent to 74 percent. Some states have seen the percentage drop to 50 percent usage. They determined the risk of fatality is 2.8 times higher for riders not wearing a helmet. The risk of incapacitating injury is 1.4 times higher for riders not wearing a helmet. The University of Michigan estimated 24 fatalities and 71 serious injuries were due to the reduced helmet use.

We know from the NHTSA that universal helmet laws are effective at increasing helmet use. I saw two people in 8 years who were not wearing helmets. I

mentioned helmet usage drops to 50 percent following a repeal but the percentage in Michigan was not that drastic. Research indicates helmets reduce motorcycle rider fatalities by 22 percent to 42 percent and brain injuries by 41 percent to 69 percent.

Another group, Advocates for Highway and Auto Safety, an alliance of consumer, medical, public safety and insurance groups, reported a Lou Harris poll shows 80 percent of Americans favor state law requiring all riders to wear helmets. The American Academy of Pediatrics determined motorcycle helmets are 69 percent effective in preventing brain injuries.

In Nevada, motorcycles are 2.9 percent of all active vehicle registrations. However, in 2014, motorcyclist fatalities were 19.4 percent of all roadway fatalities. It makes sense since motorcycles do not have metal enclosures, air bags, crumple zones or seat belts. If a rider is involved in a crash, that person will more than likely be ejected from the motorcycle. If this occurs, the only protection the rider has is the safety gear worn such as a helmet, protective gloves and jacket.

Most riders think it will never happen to them, but there are approximately 1,400 motorcycle crashes in Nevada every year. There are very few fatalities associated with a motorcycle rider not wearing a helmet due to the universal helmet law in this State. The graph on page 12 of [Exhibit M](#) indicates the motorcyclist fatalities in Nevada. There was a hefty spike in motorcyclist fatalities in 2013, and a 60 percent increase in Clark County alone. Statewide there was a 40 percent increase in motorcyclist fatalities. In 2014, over 70 percent of fatalities were in Clark County.

There are many people in the State working on ways to reduce motorcycle fatalities. Recently, motorcycle safety was made one of the priority areas in the Strategic Highway Safety Plan, which is the result of a multidisciplinary committee working towards strategies and activities to reduce fatalities. Motorcycle safety has climbed to a much higher priority level within the State.

We know universal helmet laws are effective to keep helmet usage rates high. Based on the analysis of other states, including Michigan, most likely fatalities and serious injuries will rise if the universal helmet law is repealed. To all who are working toward Zero Fatalities in Nevada, we need the universal helmet law as one of the tools in our tool box to reach this goal. The helmet law will not

solve all of our problems, but it is a needed tool for law enforcement. We still must address speeding, aggressive riding and impaired riding with motorcycle riders, but the helmet law needs to remain a mandate.

Senator Gustavson:

Referencing page 10 in [Exhibit M](#), the information for 2014 indicates 25 motorcyclist fatalities were 19.4 percent of all roadway fatalities. How many fatalities involved motorcyclists wearing helmets?

Mr. Vander Aa:

I will have to get back to you with that information.

Senator Gustavson:

Would it be safe to say the majority of motorcyclists were wearing helmets?

Mr. Vander Aa:

Yes.

Senator Gustavson:

On page 11 of [Exhibit M](#), referencing Nevada Un-helmeted Fatalities, I would like you to provide me with the statistics on this information. How many of these fatalities were on the highway or off-road?

Mr. Vander Aa:

These are highway statistics only.

Senator Gustavson:

There are many different factors we need to take into consideration as to what causes fatalities like the time of year and weather conditions. Will these factors allow the statistics to fluctuate?

Mr. Vander Aa:

Yes.

Senator Gustavson:

The graph on page 12 of [Exhibit M](#) indicates a percentage of increase for motorcyclist fatalities, but we all want zero fatalities. Accidents do happen, both on-road and off-road. You talked about Nevada and other states. As a comparison we have talked about the other states and the increase in fatalities,

we also had a major increase in motorcycle registrations. This is oftentimes not compared to the increase but just notes that motorcycle fatalities increased due to an increase of 50 percent because there are more people riding motorcycles. Is this true?

Mr. Vander Aa:

Over the past several years, the annual increase in the registrations of motorcycles is 1 percent to as high as 3 percent. It has been that way for a number of years.

Senator Gustavson:

I would like to see S.B. 142 pass so we can get more people riding motorcycles. More people would ride motorcycles if we did not have the helmet law in Nevada. I have been told this by many different people. Some people even left the State because they could not ride without wearing a helmet.

Senator Denis:

In the research you have conducted, are you seeing motorcycle fatalities increasing over the last few years? I saw one report that indicated 14 out of the past 15 years showed an increase in motorcycle deaths nationwide.

Mr. Vander Aa:

If I recall, the numbers decreased nationwide, but Nevada took a turn in the opposite direction.

Senator Denis:

In the information you supplied in [Exhibit M](#), do the numbers include mopeds?

Mr. Vander Aa:

Yes, this graph includes mopeds. In 2013, 4 of the 58 fatalities were moped riders. In 2014, there were 8 moped rider fatalities out of the 63 shown.

Senator Denis:

Do we require helmets for mopeds?

Mr. Vander Aa:

No.

Robert Roshak (Executive Director, Nevada Sheriffs' and Chiefs' Association):

We do not support changing the helmet law in Nevada for safety reasons. I have been riding motorcycles since 1966, and was a police motor officer for 13 years. While doing that, I had extensive training relative to the operation of a motorcycle and defensive tactics. I was involved in two motor vehicle accidents where the helmet took the brunt of the injury. Because of the helmet, I am still here. If the damage that was done to the helmet had been done to my head, I would not be here. As a point from the public safety service side, we think helmets need to be worn.

A comment from one of my sheriffs is "We do not support this due to added cost to my already excessive coroner fees budget line item."

Abby Hudema, R.N. (Trauma Program Manager, University Medical Center of Southern Nevada):

Deborah Kuhls submitted an email ([Exhibit N](#)). I have been a trauma nurse for over 16 years and a backseat motorcycle rider. I am here to oppose S.B. 142. As I walk you through my presentation ([Exhibit O](#)), I will demonstrate the scientific and medical sense about retaining the requirement to wear helmets.

In response to some of the previous testimony, the highest number of motorcycle fatalities in Nevada are individuals in the 21 to 30 age range. These are young riders who are dying on our roadways. In regard to the importance of free choice, I appreciate the ability for people to make their own choices. I also know riders lose that choice when a car pulls out in front of them and other horrific crashes occur. The rider does not choose to crash, and the taxpayers do not get to choose when they have to offset the cost of those crashes. The resulting medical bills are enormous.

In response to the question raised by Senator Farley, every trauma center across the Country is required to contain all of the data in a trauma registry. All of the injuries on every one of the trauma patients are listed by body region, and those statistics are available.

The CDC speaks to the Florida experience and having their helmet law repealed. From the CDC Website, research has shown that when a state repeals its helmet law or opts for less restrictive requirements, helmet use decreases and motorcycle-related deaths, injuries and costs increase. For example, in 2000, Florida changed its universal helmet law to a partial helmet law that covered

only riders less than age 21 and those with less than \$10,000 in medical insurance. During the 2 years following the change, the motorcycle death rate per 10,000 registered motorcycles in Florida increased by 21 percent. Deaths among motorcycle riders aged less than 21 years nearly tripled and hospital admissions of motorcyclists with injuries to the head, brain and skull increased by 82 percent.

As a trauma nurse, I have seen many people die, and those are the ones who make it to the hospital. I have seen even more patients who are left with debilitating, life-altering injuries.

In addition, gross costs charged to hospital-admitted motorcyclists with head, brain and skull injuries in Florida more than doubled from \$21 million to \$50 million. Studies that have examined nonfatal injuries outcomes among motorcyclists that wore helmets and those who did not found that hospitalized riders who had not worn helmets incurred higher health care costs. Riders who do not wear helmets are more likely to suffer traumatic brain injuries. Median hospital charges for those with traumatic brain injuries are 13 times higher than for those without such injuries. Riders who do not wear helmets are less likely to have health insurance, and therefore, are more likely to require publicly funded health care.

Also, information from the CDC Website demonstrates more than \$3 billion in costs were saved as a result of helmet use in the United States. Another \$1.4 billion could have been saved if all motorcyclists had worn helmets. Total costs saved from helmet use ranged from \$394 million in California to \$2.6 million in New Mexico. Economic costs saved from helmet use per registered motorcycle ranged from \$1,627 in North Carolina to \$48 in New Mexico, with a median of \$286.

The risk of brain injury increases threefold for non-helmeted motorcycle riders. Helmets reduced the risk of fatality by 37 percent. There is a myth that helmets cause cervical spine injuries; helmets neither cause nor prevent cervical spine injuries. Scientific studies confirmed that helmets do not decrease peripheral vision or hearing. I would like you to look into the studies noted in [Exhibit N](#) a little more as they are all referenced. One critically injured patient can easily amount to \$1 million or more in medical costs. These are bills we see locally.

Page 8 of [Exhibit N](#), references a study conducted by Bellal Joseph, M.D. and nine other trauma surgeons at the University of Arizona, Tucson, College of Medicine and Joseph B. Rhee, presented at the American College of Surgeons in 2014. The study states that young riders in states with universal helmet laws were 2.5 times less likely to sustain a traumatic brain injury compared with states that have age-limited helmet laws.

Nevada trauma centers treated an average of 75.4 persons per month for motorcycle crash injuries, and these are just the people who made it to the hospital, while others were on-scene fatalities. Those numbers will only increase with fewer people wearing helmets. It is proven mortality rates are higher in un-helmeted versus helmeted riders. There are higher incidences of lethal and nonlethal head injuries in those riders not wearing helmets and long intensive care unit and overall hospital stays. Please do not support S.B. 142.

Senator Gustavson:

Relative to all the statistics you provided for medical costs related to traumatic brain injuries, would the cost be the same for helmeted or un-helmeted automobile drivers who receive traumatic brain injuries? Do the statistics also include someone who falls off a ladder?

Ms. Hudema:

I do not have the statistics or know whether they are the same or not. I would argue they are probably more, but I would have to pull additional statistics.

Senator Gustavson:

We heard a great deal of testimony this morning from both sides. There are issues both ways, but the result is there have been over 31 states that have repealed or modified their helmet laws and I would not like Nevada to be the last state to follow suit.

Chair Hammond:

I will close the hearing on S.B. 142.

Mr. Andrus:

We had an unfortunate accident in Reno when a police officer was responding to a call with his lights and siren running, and a lady pulled out in front of him at about 45 mph. He died. The officer was fully helmeted, but the helmet did not

save him. Many times in crashes at low impact such as 45 mph, people also die.

Chair Hammond:

I have a letter ([Exhibit P](#)) from Assemblyman John Ellison, Assembly District No. 22 in support of S.B. 142. He was planning to testify this morning, but based on his Assembly duties, was unable to attend the hearing.

There being no further business to come before the Committee, we are adjourned at 10:38 a.m.

RESPECTFULLY SUBMITTED:

Martha Barnes,
Committee Secretary

APPROVED BY:

Senator Scott Hammond, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit		Witness or Agency	Description
	A	1		Agenda
	B	6		Attendance Roster
S.B. 145	C	8	Pete Vander Aa	Presentation
S.B. 142	D	4	Senator Don Gustavson	Proposed Amendment 9687
S.B. 142	E	18	Senator Don Gustavson	Economic Impacts of Modification to Michigan Mandatory Helmet Law
S.B. 142	F	1	Senator Don Gustavson	Map
S.B. 142	G	1	Senator Don Gustavson	Graphic Summary
S.B. 142	H	1	Senator Don Gustavson	Graph
S.B. 142	I	2	Senator Don Gustavson	Summary Sheets
S.B. 142	J	30	John Bland	Written Testimony
S.B. 142	K	8	Dale Andrus	Presentation
S.B. 142	L	2	Rick Eckhardt	Written Testimony
S.B. 142	M	35	Pete Vander Aa	Presentation
S.B. 142	N	2	Deborah A. Kuhls	Email clarification for presentation
S.B. 142	O	13	Abby Hudema	Presentation
S.B. 142	P	1	Assemblyman John Ellison	Letter of Support