

SB 828



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

Deputy Directors
FORD N. FUCHIGAMI
JAN S. GOUVEIA
RANDY GRUNE
JADINE URASAKI
IN REPLY REFER TO:

January 25, 2011

TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION

SENATE BILL NO. 828

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS

House Bill 828 amends Chapter 291C by adding a new section to part sixteen for all operators and passengers of motorcycles, mopeds and bicycles to wear safety helmets.

The Department of Transportation supports this bill; but with reservations. We respectfully request that this House Bill 828 **include motor scooters and the further use of safety glasses, goggles, or a face shield as defined in §286-81 since there are helmets that are approved in accordance with the standards of the Federal Motor Vehicle Safety Standards Number 218 that do not protect the eyes and face of the wearer. We recommend that the penalties for this section come under §291C-161(b).**

According to National Highway Traffic Safety Administration (NHTSA), a person without a safety helmet that operates a motorcycle or motor scooter is 40 percent more likely to suffer a fatal head injury. In addition, it is estimated that safety helmets can reduce the likelihood of a crash fatality by 37 percent.

Wearing a safety helmet is the single most effective way to prevent head injuries resulting from motorcycle and motor scooter crashes. Head injuries are a leading cause of death in motorcycle and motor scooter crashes.

In 2010, there were 20 motorcycle fatalities in the State of Hawaii. Of the 20 deaths, six motorcyclists or 30 percent wore a helmet, and 12 motorcyclists or 60 percent did not wear a helmet. Also in 2010, there were eight moped fatalities and none were wearing helmets. NHTSA estimates that at least seven lives would have been saved if all motorcyclists were wearing a safety helmet while another three lives would have been saved if all the moped riders would have been wearing helmets.

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



WRITTEN
ONLY

LORETTA FUDDY, ACSW, MPH
ACTING DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

Senate Committee on Transportation and International Affairs

SB 828, RELATING TO HELMET USE

**Testimony of Loretta Fuddy, ACSW, MPH
Acting Director of Health**

January 28, 2011

Department's Position: The Department of Health supports SB828. A universal helmet law is the single most effective means of preventing death and reducing the severity of non-fatal head injury in motorcycle, moped and bicycle crashes.

Fiscal Implications: None.

Purpose and Justification: Unhelmeted riders, and passengers of all ages are at increased risk for head injury, which is the leading cause of death and disability in motorcycle, moped and bicycle crashes. Head injuries can produce consequences, which are disabling, long lasting and extremely costly. Safety helmets are the single most effective means of preventing death and reducing the severity of non-fatal head injuries in motorcycle and motor scooter crashes. In addition to fatalities, each year in Hawaii there are approximately 394 head injuries related to motorcycle crashes that require medical care at a hospital. For non-fatal injuries, a Crash Outcomes Data Evaluation System (CODES) study found that motorcycle helmets are 67% effective in preventing brain injuries and unhelmeted motorcyclists involved in crashes were 3 times more likely to suffer brain injuries than those wearing helmets.

Regarding bicyclists, according to Emergency Medical Services (EMS) data 2009-2010, unhelmeted riders had a significantly higher incidence of head injuries compared to helmeted riders (22% vs. 14%). EMS responds to approximately 510 injury related bicycle crashes each year.

Universal helmet laws are recommended by the Center for Disease Control and Prevention (CDC), National Highway Traffic Safety Administration (NHTSA), Governors Highway Safety Association (GHSA), and Hawaii's Strategic Highway Safety Plan (SHSP).

Universal helmet laws are easy to enforce because violators are highly visible. Laws that require helmets only for certain age groups are less effective as they are not as easily applied and enforced. In 2009, helmet usage in states with universal helmet laws averaged 86% compared to 55% usage in states without a law.

Universal helmet laws are fiscally responsible. The annual average hospital charges for head injuries to motorcycle, motor scooter and moped riders in Hawaii are \$9.9 million. Medicaid, Medicare or Quest incurs 19% or \$1.9 million of these charges. The additional cost of rehabilitation and long-term support for persons with disabilities due to head injuries not included in this cost is substantial.

The Legislature is commended for hearing this bill. If enacted, this legislation will assist in saving lives and reducing head injuries.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
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PETER B. CARLISLE
MAYOR

LOUIS M. KEALOHA
CHIEF

DELBERT T. TATSUYAMA
RANDAL K. MACADANGDANG
DEPUTY CHIEFS

OUR REFERENCE TTN-LC

January 28, 2011

The Honorable J. Kalani English, Chair
and Members
Committee on Transportation and
Intergovernmental Affairs
The Senate
State Capitol
Honolulu, Hawaii 96813

Dear Chair English and Members:

Subject: Senate Bill No. 828, Relating to Helmet Use

I am Captain Keith Lima of the Traffic Division of the Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department supports Senate Bill No. 828, Relating to Helmet Use, while operating a motorcycle, bicycle, and moped. The use of an approved safety helmet will prevent more injuries than the absence of a safety helmet, and head injuries will likely be of a less serious nature.

Less serious injuries will mean lower medical costs affecting insurance companies, hospitals, the state, and the community. Moped operators are usually uninsured for medical costs as it is expensive. Medical costs are borne by no-fault insurance (ultimately all insured drivers) or to any automobile policy issued to a resident relative of the rider. If no insured operator exists, the cost is borne by the medical provider (again passed to the community by higher medical costs) or a portion to the State via Medicaid upon approval.

Thank you for this opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Lima".

KEITH LIMA, Captain
Traffic Division

APPROVED:

A handwritten signature in black ink, appearing to read "DC Kealoa".

FOR LOUIS M. KEALOHA
Chief of Police



THE QUEEN'S MEDICAL CENTER

1301 Punchbowl Street • Honolulu, Hawaii 96813 • Phone (808) 538-9011 • Fax: (808) 547-4646

Senator Kalani English, Chair
Senator Will Espero, Vice Chair

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS

January 28, 2011 – 1:15 p.m.
State Capitol, Conference Room 224

In Support of SB 828, Relating to Helmet Use

Chair English, Vice Chair Espero and Members of the Committee,

My name is Dr. Daniel J Donovan, Neurosurgeon, and Medical Director of Neurosurgery at The Queen's Medical Center. As a neurosurgeon who has provided treatment for brain and spine injuries for 20 years, and as the Medical Director of Neurotrauma at The Queen's Medical Center, I am writing in support of SB 828.

Motorcycles and mopeds: Head injuries are the leading cause of death to motorcycle riders and can be prevented or have reduced severity by wearing a DOT-approved motorcycle helmet [1, 2]. In Hawaii, death rates for unhelmeted riders are 200% higher than that of helmeted riders [3]. 2009 data from the *Hawaii Health Information Corporation* show that motorcycle deaths rose an unprecedented 29% and took 35 lives in Hawaii during that year alone, accounting for nearly one-third of Hawaii's traffic-related fatalities [3]. From 2003-2008 there was an average of 394 motorcycle-related head injuries per year [3]. These injuries were costly to patients, patients' families, and also to society: From 2003-2008, taxpayers paid an average of \$1,900,000 *per year* for the direct hospital expenses of head-injured motorcyclists covered by Medicaid and Medicare [4]. These figures do not account for rehabilitation or lost productivity, but brain injuries are the leading cause of lost years of productivity. The Queen's Medical Center (QMC) also reported that in 2007, a full 23% of injured motorcyclists had no health insurance and paid absolutely nothing for their medical care, resulting in losses of \$2,203,816 in 2007, alone (QMC internal data).

A 2008 Cochrane Review entitled "Helmets for Preventing Injury in Motorcycle Riders" [5] suggests what nearly all high-quality helmet research studies have found that Universal Helmet Laws save lives and should be implemented. Hawaii has previously had a Universal Helmet Law which was repealed in 1977 [6].

Bicycles: From 2001-2006, an average of five bicyclists were killed each year on Hawaii's roadways, and an average of 1235 required treatment in our state's Emergency Departments (ED) and hospitals [7]. Pediatric patients ages 1-14 years accounted for 45% of bicyclist injuries, and despite Hawaii's helmet laws for children, the majority of these pediatric patients were

unhelmeted.[8]. The most recent estimate of bicycle helmet usage by bicyclists of all ages (compiled by the Hawaii Department of Transportation (HDOT)) was 28.6% in 2007 [7].

The average costs of bicycle-related ED and hospital visits were \$1,289 and \$27,883, respectively [8]. Unfortunately, the uncalculated long-term costs (financial, and years of productive life lost) were even higher for many of the patients: 40% of the hospitalizations were due to traumatic brain injuries, the effects of which can last a lifetime. Many of these traumatic brain injuries could have been prevented by wearing a properly fitted helmet which costs \$15-\$50 [9].

Conclusion: Despite consistent efforts to reenact Hawaii's Universal Helmet Law, proponents of such a law have met with significant resistance; Hawaii remains one of 30 states with partial or no laws governing helmet usage [6], and has one of the highest rates of *preventable* death and catastrophic traumatic brain injuries.

Thank you for the opportunity to testify.

The available data (both clinical and financial) are clear in their conclusions: A Universal Helmet Law would save lives and Hawaii taxpayer dollars.

Literature Cited:

1. French, M.T., G. Gumus, and J.F. Homer, *Public policies and motorcycle safety*. J Health Econ, 2009. 28(4): p. 831-8.
2. *Motorcycle Traffic Safety Facts: 2008 Data*. 2009, NHTSA's National Center for Statistics and Analysis: Washington, DC
3. Fukino, C.L., *Director of Health's Testimony to the House Committee on Transportation* H.R.t.H. Safety, Editor. 2010: Honolulu.
4. Dee, T.S., *Motorcycle helmets and traffic safety*. J Health Econ, 2009. 28(2): p. 398-412.
5. Liu, B.C., et al., *Helmets for preventing injury in motorcycle riders*. Cochrane Database Syst Rev, 2008(1): p. CD004333.
6. *History of US motorcycle laws and changes in coverage*. 2010 2009 [cited 2010 April].
7. Crandon, I.W., et al., *Motorcycle accident injury profiles in Jamaica: an audit from the University Hospital of the West Indies*. Int J Inj Contr Saf Promot, 2009. 16(3): p. 175-8.
8. Fukino, C.L., *Injuries in Hawaii, 2001-2006*. 2008, Hawaii State Department of Health, Injury Prevention and Control Program Honolulu, HI. p. 73-80.
9. Sosin, D.M., J.J. Sacks, and K.W. Webb, *Pediatric head injuries and deaths from bicycling in the United States*. Pediatrics, 1996. 98(5): p. 868-70.

SB828

RELATING TO HELMET USE.

Requires helmet use for bicycles, mopeds, and motorcycles.

Testimony from Dr. Caesar M Ursic, MD, Trauma Surgeon and Director of Trauma Services at the Queen's Medical Center, Honolulu

Testimonial:

As a trauma surgeon who has practiced medicine for over 15 years, and as the Medical Director of Trauma Services at The Queen's Medical Center, I am writing in strong support of SB828.

- Medical research convincingly demonstrates that helmets, when worn by individuals involved in a motorcycle, moped or bicycle crash, save lives and reduce the severity of brain injury. A 2008 Cochrane Review entitled "Helmets for Preventing Injury in Motorcycle Riders" suggests what nearly all high-quality helmet research studies have found: Universal Helmet Laws save lives and should be implemented.
- In Hawaii, death rates for unhelmeted riders are 200% higher than that of helmeted riders.
- These injuries are costly to patients, patients' families, and also to society: From 2003-2008, taxpayers paid an average of \$1,900,000 *per year* for the direct hospital expenses of head-injured motorcyclists covered by Medicaid and Medicare. These figures do not account for rehabilitation or lost productivity. The Queen's Medical Center (QMC) also reported that in 2007, a full 23% of injured motorcyclists had no health insurance and paid absolutely nothing for their medical care, resulting in losses of \$2,203,816 in 2007, alone.
- Pediatric patients ages 1-14 years accounted for 45% of bicyclist injuries, and despite Hawaii's helmet laws for children, the majority of these pediatric patients were unhelmeted.

Conclusion: Hawaii remains one of 30 states with partial or no laws governing helmet usage, and has one of the highest rates of *preventable* death and catastrophic traumatic brain injuries. A Universal Helmet Law would save lives and Hawaii taxpayer dollars.



Friday, January 28, 2010 1:15 pm

The Honorable Kalani J. English, Chair
 The Honorable Will Espero, Vice Chair
 Senate Committee on Transportation and International Affairs

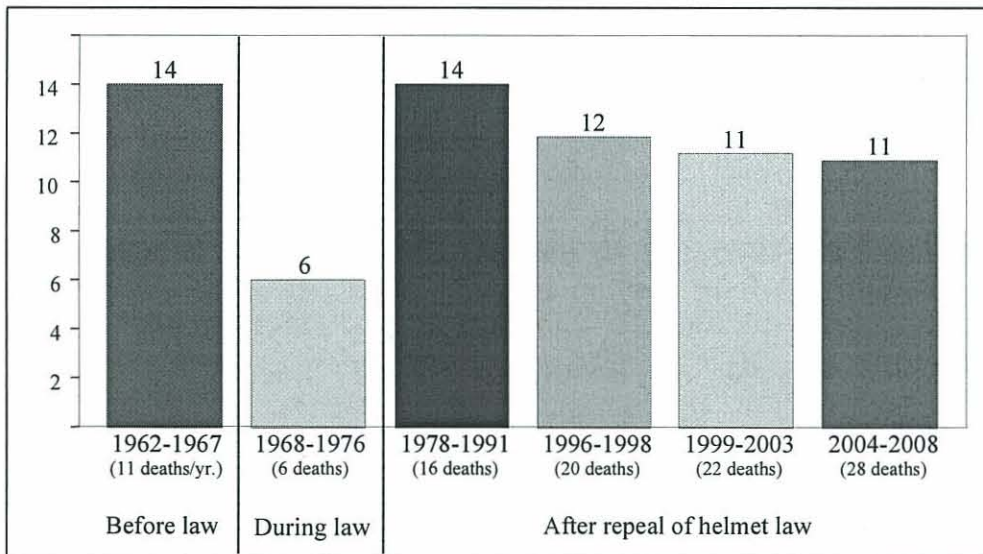
Dear Chairman English and Members of the Senate Committee on Transportation and International Affairs,

Subject: **Support for SB828**

The Injury Prevention Advisory Committee strongly supports SB828. This bill requires all operators and passengers of motorcycles, mopeds and bicycles to wear safety helmets.

Established in 1990, the Injury Prevention Advisory Committee (IPAC) is an advocacy group committed to preventing and reducing injuries in Hawai'i. IPAC members include representatives from public and private agencies, physicians and professionals working together to address the eight leading areas of injury, including traffic safety.

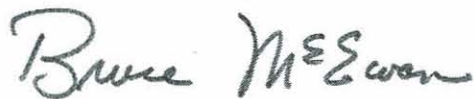
Hawaii's fatality rates before, during, and after the repeal of mandatory helmet use
 Motorcyclist fatality rates (per 10,000 registered motorcycles) in Hawaii, by aggregated time periods, 1962-2008 FARS/DOT.



Mandatory helmet laws are the most effective method of preventing death and reducing the severity of non-fatal head injury in motorcycle crashes. There are few laws as easy to implement and enforce, with minimal inconvenience and cost, with nearly 100% compliance that can have such a tremendous impact on saving lives and preventing disability. The Injury Prevention Advisory Committee urges passage of this mandatory helmet law.

Thank you for allowing us to testify.

Sincerely,

A handwritten signature in black ink that reads "Bruce McEwan". The signature is written in a cursive style with a large, prominent "B" and "M".

Bruce McEwan

Chair

Injury Prevention Advisory Committee



Mothers Against Drunk Driving HAWAII
700 Bishop Street, Suite 1111
Honolulu, HI 96813
Phone (808) 532-6232
Fax (808) 532-6004
www.maddhawaii.org

January 28, 2011

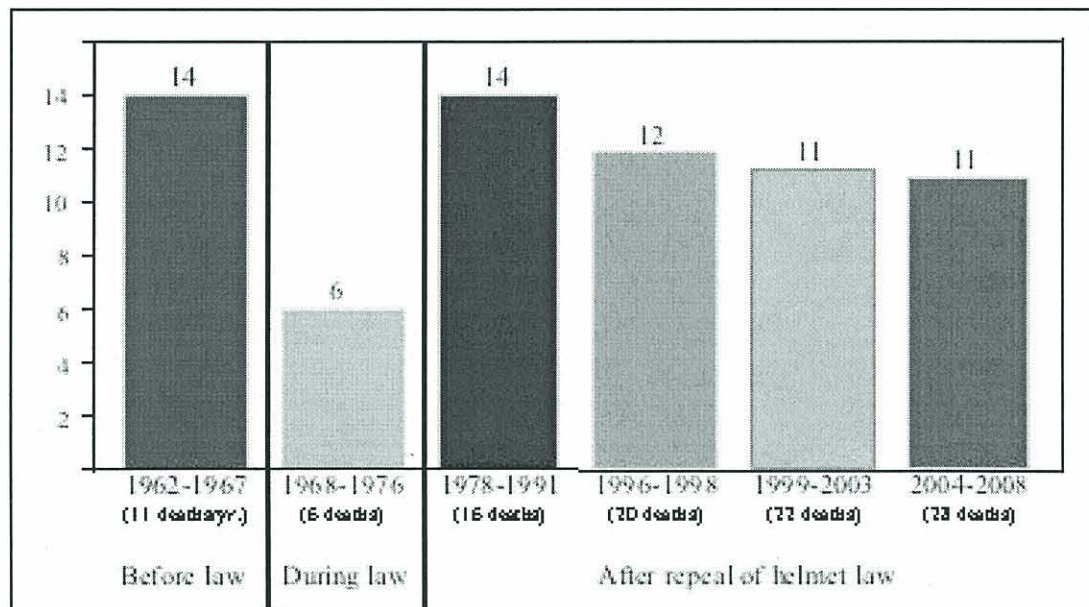
To: Senator Kalani English, Chair, Senate Committee on Transportation and International Affairs; Senator Will Espero, Vice Chair; and members of the Committee

From: Arkie Koehl, Council Chairman – MADD Hawaii

Re: Senate Bill 828 – Relating to Helmet Use

I am Arkie Koehl, speaking in support of Senate Bill 828 on behalf of the membership of MADD Hawaii.

The correlation between motorcycle helmet use and motorcycle fatalities in Hawaii is dramatically illustrated by the following chart provided by the Department of Health. The numbers at the top represent annual fatalities, per 10,000 registered motorcycles, in periods with and without helmet laws.



MADD supports legislation that has the potential to protect individuals from death or serious injury resulting from collisions caused by impaired drivers. Helmet use for motorcycle, moped, and motor scooter operators will offer significantly greater protection from potentially fatal or debilitating head injuries when crashes occur.

According to the U.S. Department of Transportation, National Highway Traffic Safety Administration. Hawaii's motorcyclist fatality rate is almost to double the national average. In 2003 in Hawaii, 19 or 14.1% of the 135 traffic fatalities were motorcyclists, compared to the national average of 8.6%. And nationally, per vehicle mile traveled in 2002, motorcyclists were about 27 times as likely as passenger car occupants to die in a motor vehicle traffic crash and 6 times as likely to be injured.

We encourage the committee to pass this measure.

Thank you for the opportunity to testify.



BRAIN INJURY ASSOCIATION OF HAWAII

1515 Nuuanu Avenue, # 40 * Honolulu, Hawaii 96817

Tel. (808) 521 -7721

STATE SENATE
COMMITTEE ON TRANSPORTATION
and INTERNATIONAL AFFAIRS
JANUARY 28, 2011, 1:15 pm
STATE CAPITOL, CONF. RM. 224

Testimony in support of
SB 828, Relating to Helmet Use

CHAIR J. KALANI ENGLISH, VICE CHAIR WILL ESPERO, AND MEMBERS OF THE
COMMITTEE:

The Brain Injury Association of Hawaii (BIA-HI) strongly supports SB 828 which requires helmet use for persons operating motorcycles, mopeds, or riding bicycles.

My name is Lyna Burian, and my son sustained a brain injury eighteen years ago, and since then I have been involved with the BIA-HI, where I have met a number of people with brain injuries, who sustained their injury from traffic accidents involving the kind of vehicles mentioned in this bill.

Brain injury changes not only the life of the individual completely, but the lives of his/her family members as well. Depending on what part of the brain gets injured, the individual may suffer physical, cognitive or behavioral problems, and what is so sad about it is that very few rehabilitative services are available and affordable for the survivors after the initial acute care phase.

The best cure for brain injury is PREVENTION. According to statistics gathered by the National Brain Injury Association, a child is four times more likely to be seriously injured in a bicycle crash than to be kidnapped by a stranger. Please do not wait until more people in Hawaii get seriously injured in bicycle, moped or motorcycle accidents. Wearing a helmet can make a lot of difference. Research studies have shown that the use of helmets reduces the risk of brain injuries by 88%.

Again, I urge you to pass this bill. It will help save lives. It will help reduce the number of brain injuries related to crashes.

Respectfully Submitted,

Lyna O. Burian

Member, BIA-HI Legislative Committee

Street Bikers  United
P.O. Box 5003, Kaneohe, HI 96744

Senator J. Kalani English, Chair
Senator Will Espero, Vice Chair
Committee on Transportation and International Affairs

Brian Grayling, Legislative Chair
Street Bikers United
P.O. Box 5003
Kaneohe, HI 96744
(808) 291-8761

Friday, January 28, 2011 at 1:15pm

Speaking in opposition to SB828

Mr. Chairman and Members of the Transportation and International Affairs Committee:

My name is Brian Grayling of Street Bikers United. SBU is a motorcycle rights and safety organization represented throughout the Hawaiian Islands. As a safety organization, we would like to offer testimony against the helmet bill before you.

I would direct the committee to two major studies on motorcycle helmets, one from the University of Southern California named the "Motorcycle Accident Cause Factors and Identification of Countermeasures" and the other from Bowdoin College "The Effect of Motorcycle Helmet Use on the Probability of Fatality and the Severity of Head and Neck Injuries".

Both studies draw similar conclusions. To quote from the latter study by Dr. Goldstein:
It is shown that past a critical impact velocity to the helmet (approximately 13mph), helmet use has a statistically significant effect which increases the severity of neck injuries. Thus we reject the claim that, helmets have no effect on neck injuries in favor of the claim that, past a critical impact speed, they exacerbate neck injuries.

A full face helmet allays head abrasion on pavement contact at low speed. It would be silly to argue otherwise. The problem arises with the intrinsic weight of the motorcycle helmet under normal driving speed during a sudden change in forward momentum. A four pound helmet can weigh two hundred pounds during sudden deceleration. If the torso is impacted, the head, because of the added weight of the helmet, can keep on going, causing neck breakage and basal skull fracture.

SB828 appears, with a broad brush, to incorporate bicycles and mopeds with motorcycles. However, the legislature has already addressed each entity, and SBU would direct the Committee to a few of the laws governing helmet use that are already on the books.

[§291C-150] Bicycle helmets. (a) No person under sixteen years of age shall operate a bicycle upon a street, bikeway, or any other public property unless that person is wearing a properly fitted and fastened bicycle helmet.

§291C-195 Driving of mopeds. No person less than eighteen years of age shall drive a moped unless the person wears a safety helmet securely fastened with a chin strap.

§286-81 Motorcycle, motor scooter, etc. No person less than eighteen years of age shall operate or ride as a passenger on a motorcycle or motor scooter on any highway in the State unless the person wears a safety helmet securely fastened with a chin strap.

SBU would like to thank the Committee for their continued efforts to make the roads safer for the motorcycling public, and would urge the rejection of this bill.

Sharon Lum Ho

From: DRAVISKONA@aol.com
Sent: Wednesday, January 26, 2011 2:55 PM
To: TIATestimony
Cc: rbrandt@hawaii.edu
Subject: SB828 - Relating to Helmet Use

Dear Committee Members and Senate Leaders:

I am writing to you as a family member of a 43 year old man with a traumatic brain injury. My son was injured in an automobile accident twenty years ago; he was a passenger and he was belted. My son was in a coma for 4-1/2 months and was hospitalized for over a year. He now requires 24 hour a day care because he is unable to manage his life cognitively. He needs someone to provide transportation because he is unable to drive. When my son was injured he was 22 years old and a senior in college working toward a business degree. He was in the wrong place at the wrong time. He did everything he could to protect himself by wearing his seat belt. The driver of the vehicle did nothing wrong, it was an accident; the car hydroplaned due to a slick mountain road. The message is that when you do everything to protect yourself you can still get injured. But, when you do not do everything to protect yourself you will get even more injured. If my son was not belted he would not have survived the accident.

Then I ask you, why would you not wear a helmet when you are on a bicycle, a motorcycle, or even skiing. The reason why you should wear a helmet is so that you can try to avoid a severe brain injury that is life altering. When people don't wear helmets to protect themselves they could require medical care for the rest of their lives. Since my son was in the hospital for over a year I saw many young men and women with brain injuries far worse than my son's just because they refused to wear a helmet. And, who pays for the care of these young men and women for the rest of their lives - we do. Many didn't have insurance, didn't have jobs, so we care for them the rest of their lives all because they didn't do the right thing and put on a helmet. And, I saw many young people come in the hospital and leave days later because they didn't make it alive - just because they didn't put on a helmet.

WEAR A HELMET - such a simple thing to do. It is no different than wearing a seat belt. I like the ad's in Hawaii - "Click it or Ticket" - making people do the right thing to save their lives. We need a new ad in Hawaii "Helmet on your head or end up in the bed - for life!"

I hope that all of you will do the right thing - each of your votes could save a life. Think about it.

Aloha,
Avis

Avis Stafford, Ed.D.
75-6138 Alii Drive #8
Kailua-Kona, HI 96740
808-326-1767 home
808-326-3284 fax

P.O. Box 2004
Honokaa, Hawaii 96727
(808) 640-3181

TO: Senator J. Kalani English, Chair; Senator Will Espero, Vice-Chair, and Members,
Senate TIA
FROM: Fred C. Holschuh, M.D.
SUBJECT: SB 828 Relating to Helmet Use
DATE: January 28, 2011, 1:15 p.m., Conference Room 224

Thank you for allowing me to testify in support of SB 828 as an individual and based on my 30-year career in emergency medicine in Hawaii.

- I am very aware of the personal freedom arguments against helmet use.
- In my career, I have seen many people in high speed motorcycle vs. automobile or isolated motorcycle crashes, who had helmets on and survived what certainly would have been devastating head injuries. In some cases, helmets were cracked and split yet the wearer had no serious injury.
- I have seen many relatively minor motorcycle, bicycle, moped and motorized scooter crashes where the operator was unhelmeted. Some of these people died, some had transient head injuries and many have lifelong devastating effects of traumatic brain injury.
- Moped riders, often tourists, appear to be frequently careless in traffic and are known to have serious brain injuries resulting from crashes.
- The cost of long term care for the traumatic brain injury patient is often quite staggering, and almost always is borne ultimately by public money. I have heard that some states passing new helmet laws have saved \$5 million dollars or more in the first year on decreased head injuries alone.

Some years ago, within weeks of each other, I took care of two unrelated bicycle crash victims in the Hilo ER. Both involved 7-year old girls. One was a high speed, downhill crash where the girl was thrown to the pavement and run over by another bike rider. She had a helmet on and walked out of the ER after her evaluation. The second girl bumped into a stationary car at slow speed, flew off the bike onto the hood of the car. She had no helmet, came into the ER unconscious and died the next day at Kapiolani Hospital, of a traumatic brain injury. I promised her mother that one day I would tell her story to policy makers.

Our seat belt laws, which caused a large outcry in the 1980's, have saved countless lives. I took care of hundreds of crash victims who were not injured nor had children injured because of mandatory adult and child restraint laws. They were very thankful for the legislation. Ultimately, the same will be true for helmet laws protecting riders from brain injuries.

I respectfully request passage of SB 828. This is good public health policy and speaks to the value of prevention.

Respectfully,

Fred C. Holschuh, M.D.

STATE SENATE
COMMITTEE ON TRANSPORTATION
and INTERNATIONAL AFFAIRS
JANUARY 28, 2011, 1:15 pm
STATE CAPITOL, CONF. RM. 224

TESTIMONY IN SUPPORT OF
SB 828, RELATING TO HELMET USE

CHAIR J. KALANI ENGLISH, VICE CHAIR WILL ESPERO, AND MEMBERS OF THE
COMMITTEE:

Thank you for the opportunity to provide testimony in support of SB 828, which requires helmet use for persons operating a moped or a motorcycle, or riding a bicycle.

My name is Albert Burian. I received a brain injury more than eighteen years ago on Dec. 11, 1992, when I was struck by a tow truck while I was crossing Wilder Avenue. I have met a number of people with brain injuries from traffic accidents involving mopeds, motorcycles or bicycles since then. They were not wearing helmets at the time of their accidents.

Brain injury changes the life of the individual completely. Depending on what part of the brain gets injured, the individual may suffer physical, cognitive or behavioral problems, and what is so sad about it is that very few rehabilitative services are available and affordable in Hawaii for the survivors after the initial acute care phase.

The best cure for brain injury is PREVENTION. According to statistics gathered by the Brain Injury Association of America, 1.4 million people sustain a brain injury in the United States each year. Direct medical costs and indirect costs, such as lost productivity from TBI, totaled an estimated \$60 billion in the U.S. in 2008. Wearing a helmet can make a big difference. A recent study showed that the use of helmets reduces the risk of brain injuries by 88%.

I urge you to pass SB 828. It will help save lives. It will help reduce the number of brain injuries related to crashes.

Sincerely,

AB

Albert V. Burian
1515 Nuuanu Avenue, #40
Honolulu, Hawaii 96817

Sharon Lum

From: David Marshall [david.r.marshall@hawaiiantel.net]
Sent: Thursday, January 27, 2011 6:24 PM
To: TIATestimony
Subject: SB828 Helmets - Support

I enthusiastically support a Universal Helmet requirement.
Nothing we can do would do more to reduce rider death and injuries,
or the pain and expense to all those involved.

David R. Marshall
Chair, Motorcycle Safety,
Hawaii Strategic Highway Safety Plan

From: Jerome Kellner <jerome.kellner@gmail.com>
Date: January 27, 2011 7:39:24 PM HST
To: "Sen. J. Kalani English" <jk.english@capitol.hawaii.gov>
Subject: I am in Favor of Senate Bill 828

Senator English,

I am in favor of Senate Bill 828 making wearing a helmet mandatory when operating motorcycles, bicycles, and mopeds.

Reputable studies show everybody pays more for insurance and medical bills when two-wheeled vehicle operators are injured or killed because they're not wearing head protection.

Such a law makes everyone safer and saves everyone money. It is time to pass this long overdue law.

Thank you for your consideration and service,

Jerome Kellner
Wailuku, HI

David DeLeon
335 Waiama Way
Haiku, Hi. 96708

January 25, 2011

TESTIMONY

Before Senate Transportation Committee Jan.28, 2011

RE: TESTIMONY IN OPPOSITION TO SB 828 REQUIRING HELMET USE

Thank you for this opportunity to testify in **opposition to Senate Bill 828**, as regards to requiring bicyclists to wear helmets. This testimony is offered as an individual. I wholeheartedly support the intention that is behind this bill: require people to be safer. I personally agree that in some conditions, bike helmets should be required. I personally always wear a helmet whenever I ride more than a mile from my home. But if I am just cruising the neighborhood, what do I need a helmet for?

This bill will compound the mistaken belief that drove the original law requiring children under the age of 15 to wear bike helmets. There was, thankfully, absolutely no enforcement of that law in Maui County. Yes, the kids will be safer wearing helmets, but I can guarantee you that helmet requirement would be one impediment to them getting on a bike at all. And above all else, we do want our kids to ride their bikes around their neighborhoods, to go to the beach, to go to school. Ideally, we will make sure that there are safe routes for them to get around on, but the bigger risk is that they will sit around on their rear-ends hooked into games or the tube. Our first goal needs to be ending the cycle of sedentary living and obesity. Being required to put on a helmet before they can ride a bike down to their friend's house or to the store will have the opposite effect, because it will be just be one more reason to stay on the couch.

I would hope that the Senate also recognizes that there are many people in our state who use bicycles for their main source of transportation. They do that because they can not afford a car, insurance, gas, etc. In many cases they can not afford a helmet either and are just lucky to have their bikes. Who is going to buy these folks helmets?

Lastly, before making this a law, please ask the police departments if they have any intention of enforcing such a requirement. My bet is that they will give this a very low priority.

Sharon Lum Ho

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 26, 2011 4:20 PM
To: TIATestimony
Cc: [REDACTED]
Subject: Testimony for SB828 on 1/28/2011 1:15:00 PM

Testimony for TIA 1/28/2011 1:15:00 PM SB828

Conference room: 224
Testifier position: oppose
Testifier will be present: No
Submitted by: Ray Pagan
Organization: Individual
Address: [REDACTED]
Phone: [REDACTED]
E-mail: [REDACTED]
Submitted on: 1/26/2011

Comments:

sharon.lum...

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 27, 2011 10:23 AM
To: TIATestimony
Cc: mz9995@hotmail.com
Subject: Testimony for SB828 on 1/28/2011 1:15:00 PM

Testimony for TIA 1/28/2011 1:15:00 PM SB828

Conference room: 224
Testifier position: oppose
Testifier will be present: No
Submitted by: Michael Zehner
Organization: Individual
Address: Honolulu, HI
Phone:
E-mail: mz9995@hotmail.com
Submitted on: 1/27/2011

Comments:

I support freedom of choice. Let the person choose for themselves. If you like to wear a helmet, wear a helmet. This is a civil liberties issue and consenting adults should choose for themselves.

From: Frank Schultz [mailto:schlitzsky@hawaii.rr.com]
Sent: Thursday, January 27, 2011 10:00 PM
To: TRNtestimony
Subject: SB 828 and SB 152

To whom it may concern,

Let it be known that I **OPPOSE SB 828** and am **IN FAVOR** of SB 152.

Frank Schultz
Hawaii resident and a Motorcycle rider

Notice of Hearing
Friday, January 28, 2010 at 1:15 p.m.
Conference Room 224 — State Capitol,
415 S. Beretania Street

SB 828

RELATING TO HELMET USE.

Requires **helmet** use for bicycles, mopeds, and motorcycles.

SB 152

RELATING TO HIGHWAY SAFETY.

Requires a person **under the age of eighteen** to wear a **helmet** while operating or riding an all-terrain vehicle.

Frank

IN GOD WE TRUST

"The trouble with socialism is that eventually you run out of other people's money."
- Margaret Thatcher

From: Robert [mailto:RSOUZA001@hawaii.rr.com]
Sent: Friday, January 28, 2011 9:04 AM
To: TRNtestimony
Subject:

To All:

I am an avid Motorcyclist and do so by choice. The choice to wear, or not wear a helmet is also a choice. I ride, where and when I choose, and those days will also determine if I wear a helmet or not.

I write to you to OPPOSE SB-828.

Robert Souza

Subject: SB 828 and SB152

Good Afternoon,

I have been a motorcycle rider since 1999. I enjoy riding on Saturdays with the Harley Group and it helps me with my stress, tension throughout the week. I prefer to ride without a helmet but there are many of us that wear helmets as well as put helmets on our children.

I have seen a lot of riders in Hawaii and aside from a few that will always be reckless, the majority of us are responsible, law abiding, voting citizens that enjoy a small piece of freedom.

Please consider my comment when deciding on such a major issue that will impact us. Visitors that come and ride with us, appreciate the freedom to enjoy the wonderful weather we have and the slower pace and beautiful views. Please help us keep it that way.

Statistics has shown that helmet wearing does not prevent accidents or prevent major injury. Motorcycle awareness and education are the major preventors. The May motorcycle awareness month and the free motorcycle safety classes for that month are gaining popularity and awareness by the community. Please publicize this more, I am. I feel that this will help in reduction of accidents and bring awareness to the community.

Thank you for your kind attention.

Karen Kikukawa
562 Kipuka Place
Kailua, HI 96734