

SB 1309

RELATING TO TRAUMATIC BRAIN INJURIES.

Requires helmet use for individuals under the age of eighteen operating or riding motorcycles, motor scooters, mopeds, and all-terrain vehicles.

Requires persons engaging in the business of renting these vehicles to furnish a safety helmet to renters, under the age of eighteen for motorcycles, motor scooters, mopeds, and all-terrain vehicles, who will drive or ride on these vehicles.



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 1309, RELATING TO TRAUMATIC BRAIN INJURIES

**Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health**

Wednesday, February 6, 2013, 1:17 P.M.

1 **Department's Position:** The Department of Health supports SB 1309 to require helmet use for
2 operators of additional modes (ATV's and mopeds) and the businesses engaged in renting these
3 vehicles, and offers the following comments.

4 **Fiscal Implications:** None.

5 **Purpose and Justification:** Extending the protection afforded by helmets for riders under eighteen
6 years of age to ATV's and mopeds, and requiring businesses to provide helmets for these vehicles, is a
7 step in the right direction. Currently, under HRS §286-81 only motorcycle, motor scooter operators and
8 passengers under eighteen years are required to wear a safety helmet. Although this bill could help to
9 increase helmet use and ultimately reduce traumatic brain injuries among additional riders under
10 eighteen years of age, an all rider helmet law that covers all ages and modes would be a preferred form
11 of helmet policy. A helmet law that covers all ages is a best practice for effectively reducing death and
12 traumatic brain injuries among all ages, and is also easier to enforce.

13 The Department respectfully request that SB1309 section 5 that states "(a) No person less than
14 eighteen years of age shall drive a moped or ride on a moped as a passenger unless the person wears a
15 safety helmet" conform to the current statute under 291C-195 (c) that states "No person shall drive a

1 moped which is carrying any other person nor shall any person other than the driver ride upon a moped.”

2 For safety reasons passengers should not be permitted on mopeds. Therefore, we recommend that the

3 language in the current bill, SB1309 “or ride on a moped as a passenger” be removed.

4 Thank you for the opportunity to testify on this measure.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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KIRK W. CALDWELL
MAYOR

LOUIS M. KEALOHA
CHIEF

DAVE M. KAJIHIRO
MARIE A. McCAULEY
DEPUTY CHIEFS

OUR REFERENCE KK-LC

February 6, 2013

The Honorable J. Kalani English, Chair
and Members
Committee on Transportation
and International Affairs
State Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair English and Members:

Subject: Senate Bill No. 1309, Relating to Traumatic Brain Injuries

I am Kurt Kendro, Major of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports the passage of Senate Bill No. 1309, Relating to Traumatic Brain Injuries. Passage of this bill would require that persons under the age of eighteen would have to wear a helmet while operating a motorcycle, motor scooter, or moped. It would also mandate that helmets be provided by businesses to persons who rent motorcycles, motor scooters, and mopeds.

While the HPD supports this bill, it would be very difficult to enforce. It is very difficult to tell the age of someone who is 16 or 17 versus someone who is 18 or 19.

The HPD would recommend that a universal helmet law be passed rather than limiting helmets to a portion of the population. The HPD would recommend that this bill be changed so that all individuals who ride a motorcycle, motor scooter, or moped would be required to wear a helmet.

Thank you for the opportunity to testify.

Sincerely

A handwritten signature in black ink, appearing to read "Kurt Kendro".

KURT KENDRO, Major
Traffic Division

APPROVED:

A handwritten signature in black ink, appearing to read "Louis M. Kealoaha".

LOUIS M. KEALOHA
Chief of Police



THE QUEEN'S HEALTH SYSTEMS

1301 Punchbowl Street • Honolulu, Hawaii 96813 • Phone (808) 691-5900

SB 1309, Relating to Traumatic Brain Injuries
Senate Committee on Transportation and International Affairs
February 6, 2013 – 1:17 p.m.
Room 224

My name is **Karen Seth, Director**, Neuroscience Institute and Ancillary Services, at The Queen's Medical Center. I would like to provide testimony in **support of SB 1309**, Relating to Traumatic Brain Injuries.

Traumatic brain injury (TBI) affects a large number of people in our state, including children. In 2010 alone, more than one-third of those treated in the emergency department for TBI were 18 years and younger. As the state's highest level Trauma Center, the Queen's Medical Center has treated hundreds of these brain-injured children over the years.

Our staff, who care for many of these patients for months, will find it difficult to describe to you the anguish of watching these young people struggle with their injury when they know it could have been prevented with the use of a helmet. We have seen the human toll that results from head injury and seek to prevent this injury, since recovery typically lasts a lifetime if the patient survives.

Helmets save lives and prevent injury.

Thank you for the opportunity to testify.



THE QUEEN'S HEALTH SYSTEMS

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S.B 1309 RELATING TO TRAUMATIC BRAIN INJURIES
Senate Committee on Transportation
February 6, 2013, 1:17 p.m.
Room 224

My name is **Caesar Ursic** and I am a trauma surgeon and the Medical Director of Trauma Service at the Queen's Medical Center, the State of Hawaii's lead trauma center. I have fifteen years of experience treating patients with severe injuries in trauma centers on the US mainland, Australia, and now here in Hawaii. I am providing testimony in **strong support** for S.B. 1309, Relating to Traumatic Brain Injuries.

Motorcycles and mopeds are a very popular form of transportation among the young people of Hawaii. On a daily basis I am involved in the care, directly or indirectly, of young patients with severe head trauma resulting from motorcycle and moped crashes. I see the severe and often life altering consequences of these types of injuries that either result in death or in often life-long disabilities. Those who do not die are often left, for the rest of their young lives, with permanent physical or mental disabilities. They are unable to perform even the basic activities and functions that we associate with a "normal" life. An injury to the brain is like no other, because it robs the patient of that which we often consider the source of our humanity – the ability to think, reason, communicate and remain aware of self, surroundings and loved ones. This is even more tragic when it happens to a young person, who could have looked forward to many years of life as a productive and happy member of our community.

However - many of these brain injuries can be prevented or at least minimized. This can be accomplished at minimal cost and effort using a universally proven technique: **the wearing of an approved helmet.**

Of the patients we see at the Queen's Medical Center who are involved in motorcycle and moped crashes, less than 40% wear a helmet. Because of this, more patients die or are permanently incapacitated from head trauma in the State of Hawaii than would occur if all or nearly all motorcyclists wore a helmet at the time of their crash. We already know that helmets save lives, improve outcomes, and reduce financial burden on all tax payers. The subject has been rigorously studied elsewhere. States with high rates of helmet use have lower rates of head injury than states with low helmet use. State that have repealed helmet laws experience a dramatic rise in loss of life from head injuries among motorcyclists. These are facts that cannot be reasonably disputed.

I respectfully urge you to support S.B.1309 as this will significantly reduce the medical social and financial burden and cost of motorcycle and moped-related brain injury on the youth of Hawaii as well as the general public of the state.

LATE

STATE HOUSE OF REPRESENTATIVES
COMMITTEE ON TRANSPORTATION & INTERNATIONAL AFFAIRS

FEBRUARY 6, 2013, 1:17 PM
STATE CAPITOL, CONFERENCE RM. 224

Testimony in support of
SB 1309, Relating to Traumatic Brain Injuries

TO COMMITTEE CHAIR ENGLISH, AND MEMBERS OF THE COMMITTEE:

My name is Lyna Burian, and I am offering written testimony in support of SB 1309 which requires helmet use for individuals under the age of eighteen operating or riding motorcycles, motor scooters, mopeds and all-terrain vehicles.

My son sustained a brain injury twenty years ago, and since then I have been involved with the Brain Injury Association of Hawaii (BIA-HI), where I have met a number of people with brain injuries from traffic accidents involving mopeds, motor scooters and other two-wheeled vehicles. They were not wearing helmets at the time of their accidents.

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 sad about it is that very few affordable rehabilitative services are available 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 low productivity from the TBI, totaled an estimated \$60 billion in the U.S. in 2000. 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 1309**. It will help save lives. It will help reduce the number of brain injuries related to crashes. Thank you for this opportunity to give my testimony.

Respectfully Submitted,

Lyna O. Burian
1515 Nuuanu Avenue, #40
Honolulu, Hawaii 96817

Sharon Lum Ho

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 01, 2013 7:07 PM
To: TIATestimony
Cc: isyamada@hawaiiantel.net
Subject: Submitted testimony for SB1309 on Feb 6, 2013 13:17PM

SB1309

Submitted on: 2/1/2013
Testimony for TIA on Feb 6, 2013 13:17PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Samuel & Irma Yamada	Individual	Support	No

Comments: As parents and retired educators, we ask our legislators to support SB1309 to protect our future leaders from possible harm in their formative years.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Sharon Lum Ho

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 04, 2013 8:37 AM
To: TIA Testimony
Cc: tmiller@hpsc.org
Subject: *Submitted testimony for SB1309 on Feb 6, 2013 13:17PM*

SB1309

Submitted on: 2/4/2013
Testimony for TIA on Feb 6, 2013 13:17PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Tina Miller	Individual	Support	No

Comments:

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Cc: Hsphi@aol.com
Subject: *Submitted testimony for SB1309 on Feb 6, 2013 13:17PM*

SB1309

Submitted on: 2/1/2013
Testimony for TIA on Feb 6, 2013 13:17PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Michael frolik	Individual	Support	No

Comments:

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Subject: *Submitted testimony for SB1309 on Feb 6, 2013 13:17PM*

SB1309

Submitted on: 2/4/2013

Testimony for TIA on Feb 6, 2013 13:17PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Louise Fincher	Individual	Support	No

Comments:

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Sharon Lum Ho

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To: TIATestimony
Cc: elaine225@live.com
Subject: *Submitted testimony for SB1309 on Feb 6, 2013 13:17PM*

SB1309

Submitted on: 2/2/2013

Testimony for TIA on Feb 6, 2013 13:17PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Elaine Gilbert	Individual	Oppose	No

Comments:

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