

Common Myths About Motorcycle Helmets and Motorcycle Helmet Laws

Myth ♦ Helmets cause neck or spinal cord injuries

Fact ♦ Research has proven this untrue. Five studies reviewed by the GAO all reported a higher incidence of severe neck injuries for unhelmeted riders.⁴⁵ An Illinois study found that helmets decrease the number of significant spinal injuries.⁴⁶

Myth ♦ Helmets impair hearing and sight



Fact ♦ ♦ The helmet affects my peripheral vision ♦ and ♦ I can't hear as well ♦ are two common myths neither of which is supported with scientific data. Normal peripheral vision is between 200 ♦ and 220 ♦. Federal safety standards require that helmets provide 210 ♦ of vision. Over 90 percent of crashes happen within a range of 160 ♦ (with the majority of the remainder occurring in rear-end collisions), so it's clear that helmets do not affect peripheral vision or contribute to crashes. Hearing is not affected either. Helmets reduce the loudness of noises, but do not affect the rider's ability to distinguish between sounds. The University of Southern California conducted 900 on-scene, in-depth investigations of motorcycle crash scenes, and could not uncover a single case in which a rider could not detect a critical traffic sound.⁴⁷ Some studies indicate that helmets are useful in reducing wind noise and protecting hearing.⁴⁸

Myth ♦ Motorcycle helmet laws are unconstitutional

Fact ♦ The highest courts in more than 25 states have held motorcycle helmet laws to be constitutional. The Massachusetts motorcycle helmet law was affirmed by the U.S. Supreme Court.

♦ From the moment of the injury, society picks the person up off the highway; delivers him to a municipal hospital and municipal

doctors; provides him with unemployment compensation if, after recovery, he cannot replace his lost job, and, if the injury causes permanent disability, may assume the responsibility for his and his family's continued subsistence. We do not understand a state of mind that permits plaintiff to think that only he himself is concerned. ❖

❖ Simon v. Governor of the Commonwealth of Massachusetts.

Myth ❖ Motorcycle helmets laws violate individual rights.

Fact ❖ All highway safety laws require individuals to act in specific ways: stop at stop signs, yield to pedestrians, etc. However, courts have consistently recognized that helmet laws do not violate the right to privacy and other due process provisions. Nevertheless, the legitimacy of other traffic laws, like driving on the right side of the highway, buckling a safety belt, using a child safety seat, not driving while impaired, and obeying traffic signals is readily accepted, because all motorists recognize that failure to obey these laws results in serious risk to themselves and others. Motorcycle helmet laws are no different.

Myth ❖ Age-specific motorcycle helmet laws are effective

Fact ❖ Statistics tell us that the helmet use rate in states with age-specific helmet laws is usually the same as having no law at all. Currently 23 states have a law requiring helmet use for a specific portion of the population, usually those under 18 years of age. These laws only complicate the law enforcement community's job, not make it easier. It's hard to judge a person's age when he or she is moving.

Myth ❖ States will no longer lose federal funds if motorcycle helmet laws are repealed. This is the time to repeal helmet laws without penalty.

Fact ❖ In attempts to repeal or weaken helmet laws, helmet laws opponents imply that the Federal Government penalized states

without motorcycle helmet laws through a loss of highway construction funds until the repeal of Section 153 of the Intermodal Surface Transportation Efficiency Act (ISTEA) in December 1995. This is not true. From 1992 to 1995, as part of an incentive package for states to pass motorcycle helmet laws covering all riders, Section 153 provided for the transfer of Federal funds from highway construction accounts to highway safety accounts in states not having all-rider helmet laws. The National Highway System Designation Act of 1995 repealed this provision.

Myth ♦ Statistics show that fatality rates are lower in states without helmet laws.

Fact ♦ Comparisons should be across years within the same state rather than across states in the same year. This is because states differ significantly on a number of factors, such as weather, length of riding season, population density, urban versus rural roads. The real issue is what happens within a state after a helmet law is adopted or repealed.

Myth ♦ Motorcycles are a small percentage of registered vehicles, thus motorcycle crashes represent a minuscule burden to society.

Fact ♦ Motorcycles are only 2 percent of the registered vehicles nationally, but motorcyclist fatalities are 5 percent of traffic fatalities each year. Motorcyclists account for over 2,100 fatalities and 56,000 injuries.⁴⁹ The fatality rate per mile traveled for motorcyclists is 16 times that of car occupants, and the injury rate is about 4 times that of car occupants.

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