

Dear Members of the Maryland House Environmental Matters Committee,

As cyclists and bicycle advocates, **we are writing to oppose HB 339**, a mandatory bicycle helmet use law. In a time when Baltimore and Maryland are encouraging bicycle use as a sustainable transportation option to help alleviate traffic congestion, improve environmental and public health, promote sustainable land-use patterns, and reduce foreign fuel dependence, HB 339 has several major flaws:

1. HB 339 will **reduce bicycle ridership** (which, in turn, decreases cyclist safety);
2. HB 339 will create an undue **economic burden for low-income cyclists**;
3. HB 339 will make proposed **bicycle-sharing systems difficult to implement**;
4. HB 339 **does not address the major challenges to cyclist safety**: calming automobile traffic, and creating protected on- and off-road paths for cyclists;

Evidence shows that while helmet use is a good choice for individuals to make, mandatory helmet *laws* do more harm than good. **No states have passed laws mandating that adults wear bicycle helmets**, and for good reason. This is NOT an ideological, libertarian idea, and it is not about cyclists “not wanting to wear helmets.” This is about the real-world unintended consequences of mandatory helmet laws.

Bicycling is not an inherently dangerous activity. **Bicycling is only dangerous when people drive unsafely around cyclists**. Therefore, this bill amounts to blaming victims, and it takes reckless, aggressive, and otherwise unsafe driving as a given. To make bicycling safer, the state can and should crack down on reckless driving, and encourage more people to ride a bicycle by creating protected on- and off-road bicycle paths.

We support voluntary helmet use by adult cyclists. It is common sense to wear a helmet when riding a bicycle; it might not help in all collisions, but it will not hurt. Helmets can provide an important last line of defense during a collision, and have saved many bicyclists from more serious injuries or even death.

However, to increase bicycle mode share, a mandatory helmet law is not the answer; we need to make bicycling safer and more convenient for people of all fitness levels. Encouraging bicycling as a normal, everyday form of transportation—especially among people of average or below-average fitness levels—could lead to a considerable reduction in overall healthcare costs. Piet de Jong, a professor of applied finance and actuarial studies at Macquarie University in Sydney, has estimated that the health benefits of riding a bicycle outweigh the risks of helmet-less riding by 20 to 1.¹ Helmet laws that discourage cycling may indirectly harm those so discouraged, in view of the cardiovascular benefits of vigorous exercise.

¹ “To Encourage Biking, Cities Lose the Helmets.” *The New York Times*, September 29, 2012.

Furthermore, when more people ride bicycles as an everyday form of transportation, cars are taken off the road, which reduces carbon emissions, our dependence on foreign oil, and traffic congestion, and supports the kind of denser urban development that the State of Maryland's Smart Growth policies have rightly been promoting for years.

BICYCLE HELMET LAWS = FEWER CYCLISTS

Presumably, this bill's sponsors assume that if helmets are made to be mandatory, then everyone who rides a bicycle in the state will continue to ride a bicycle, and simply begin wearing a helmet if they weren't already. Real-world experience has disproven this logic. Yes, helmet usage increases when mandatory helmet laws are passed—**but not without a negative effect on overall bicycle ridership**. In Australia, ridership dropped 37.5 percent between 1985 and 2011 after such a law was passed.² During the same time, population growth was three times higher than the growth of cycling, meaning **following the passage of a mandatory helmet law, there was a net decrease in bicycling**. Helmet laws have adversely affected the promotion of cycling in many places, both by creating a financial disincentive (purchasing a helmet), and by creating the misleading *perception* that it is unsafe to cycle without a helmet.

In Baltimore City, the Department of Transportation has tracked bicycle commuter traffic for more than three years; helmet use is among the factors DOT has monitored. Sixty-five percent of cyclists already wear helmets voluntarily. The remaining 35 percent of cyclists, instead of buying a helmet, might simply stop riding.

LOW-INCOME CYCLISTS

This bill will disproportionately hurt low-income cyclists. While most non-biking Americans envision athletic cyclists in spandex on fast bicycles, that is not the norm in Baltimore City, where **many low-income people choose to ride a bicycle because it is the only reliable form of transportation they can afford**. These cyclists are known as "invisible cyclists" because they do not stand out in flashy, bright neon. Many "invisible cyclists" do not wear helmets because they can not afford them or view them as unnecessary. These people are not cycling merely to "feel the wind in their hair;" they are saving themselves much-needed money and time by not owning a car and not relying solely on Baltimore's unreliable public transit system. Passing this law will impose an unfunded mandate on people who can least afford it, and who are choosing a healthy, cost-effective, and green form of transportation.

BICYCLE-SHARING

While a mandatory helmet law would almost certainly decrease cycling among people who own

² "How helmet promotion and laws affect cycle use." Bicycle Helmet Research Foundation, accessed from <http://www.cyclehelmets.org/1020.html> on February 7, 2013.

bicycles, it would have an even more devastating effect on another demographic: users of public bicycle-sharing systems. Among the sponsors of HB 339 are delegates from Baltimore City, and Howard, Prince George's, and Montgomery Counties. Each of those jurisdictions is trying to establish bicycle-sharing programs like the ones in Washington, D.C., Montreal, Boston, Chicago, Paris, London, and hundreds of cities and towns around the world. As of 2011, there were 375 bicycle-sharing systems worldwide, in 33 countries, including more than 100 in Spain, nearly 80 in Italy, and nearly 50 in Germany. This legislation directly contradicts this work by essentially **killing bicycle-sharing systems in Maryland before they start**. The law would promote an unwarranted sense of danger for cycling, ignoring the obvious overall health benefits.

Nobody has yet figured out a way to safely and hygienically dispense helmets in conjunction with bicycle-sharing systems. A two-year-old bicycle-sharing program in Melbourne, Australia—where helmet use is mandatory—has only about 150 rides a day, despite the fact that Melbourne is flat, with broad roads and a temperate climate. On the other hand, helmet-lax Dublin—cold, cobbled and hilly—has more than 5,000 daily rides in its young bicycle-sharing scheme. Mexico City recently repealed a mandatory helmet law in order to get a bicycle-sharing program started.

WHAT MAKES BIKING SAFER?

If one wants to make bicycling safer, mandatory helmet laws are not the answer; they are a distraction from the real factors that endanger cyclists and keep many people from bicycling in the first place. **The main thing that increases safety for cyclists is the presence of more cyclists on the road.** More cyclists on Maryland's roads and trails normalizes cycling as motorists become more aware of the increased number of cyclists, and more people get the courage to try cycling. Here are a few things elected officials and state bureaucrats can do to make bicycling safer:

- **Calm automobile traffic.**
 - In the Netherlands, Denmark, and many other countries, where huge numbers of people ride bicycles every day, almost no one wears a helmet, and head injuries are extremely rare. This is because for decades they have engineered their roads to restrict auto travel speeds and emphasize bicycle and pedestrian access.
- **Provide bicycle routes that are protected from traffic.**
 - Another factor that makes many other countries, especially in Europe, so safe for cyclists is that they have been investing for decades in protected bicycle lanes, both on- and off-road.
- **Increase enforcement of current traffic laws (especially distracted driving).**
- **Increase education of both cyclists and motorists on how to drive safely around cyclists.**
 - Promote voluntary helmet use as part of a comprehensive set of safety, education, and facility-development measures aimed at cyclists and motorists alike. The European Cyclists' Federation estimates that the expenditures required

to equip all bicyclists with helmets in a country or state would prevent more accidents and injuries if spent instead for safety education and on improving the cycling infrastructure.³

We encourage you to reject HB 339.

Sincerely,

Chris Brasseur
Sarah Chapin
Yair Flicker
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David Love
Seth Lueck
Leanna Powell
Rose Reis
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Brian Weeks
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Bikemore Board Members

³ "Cycle Helmets," Position Paper, European Cyclists' Federation, Oct. 1991, Strasbourg, France, pp. 3-4.