

Good example of motorcyclists and passengers requirement to wear helmets research...

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Motorcyclists and passengers requirement to wear helmets

With the increasing prices of fuel around the globe, motorcycles are seen by many as a perfect alternative to automobiles due to its fuel-efficiency, agility and easy parking. Most countries around the world, including the United States, have a huge motorcycle following due to this efficiency. However, while these alternate vehicles are indeed practical, the statistics of deaths related to motorcycle accidents have increased greatly each year especially in cases where in both the rider and the passenger are found without helmets. Where is society headed given the growing trend of motorcycle related deaths as many still prefer this alternative mode of transport? There is a necessity to have motorcyclists and passengers wear helmets and include it as a compulsory requirement under the law in order to save the lives of the riders, passengers and the public that may be implicated in motorcycle incidents.

It was senior year in high school when a very close friend of mine died after a fatal motorcycle crash. My friend, Derik, had a very bright future as he was striving to join the world of medical practitioners and had the charisma of a born leader and live-changer. His death had been heartbreaking as many believed he had the capacity to change the world and opened the eyes of many to the dangers of motorcycle accidents. Derik's death is just one of the many reported case of motorcycle accidents in the United States since 1975. According to Houston and Richardson (2007), the National Highway Traffic Safety Administration (NHTSA) had recorded almost 100, 000 motorcycle rider deaths in the US since 1975 and the fatalities each year, such as in 2004, had already recorded up to 4, 000 fatalities. The increase of fatalities

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due to motorcycle incidents have increased each year, reaching up to 8.6% of all traffic-related incidents in the country. Most of these fatalities all record high instances of head injury or trauma due to the lack of helmet use.

However, given the statistics of deaths caused by motorcycle-related accidents continues to increase, legislation remains incapable of reducing fatalities. Jones and Bayer (2007) stated that the American media often show motorcycle riders without helmets or goggles, making many believe it is a common image when riding motorcycles. Originally, the country had introduced the 1966 National Highway Safety Act due to the lack of safety standards and state policy on motorcycle helmet laws. The NHTSA had immediately been passed, and states such as New York, Massachusetts, and Michigan had been the only ones that had imposed motorcycle helmet laws upon the NHTSA's enactment. By September 1975,, California remained as the only state that remained without a mandatory helmet law because of the growth of anti-helmet legislation as motorcycle groups complained about the requirement. Given the lack of consensus, a mandatory helmet law binding motorcyclists and passengers to wear helmets remains difficult to pass .

Opponents to mandatory helmet argue several premises when it comes to mandatory helmet laws. According to Atwood (2008), the law infringes riders of their civil liberty, especially the right in riding without a helmet.

Opponents to the law argue that having a mandatory law is not the solution to reduce motorcycle incidents as education is the key to teach motorcyclists and passengers on how to act while on the road . Biker groups around the country such as the American Motorcycle Association argue that the mandatory laws even violate the Ninth Amendment as it stresses that:

' no law should be enacted that regulates the individual's freedom to choose his personal actions and mode of dress so long as it does not in any way affect the life, liberty, and happiness of others.'

Other groups even argue that the NHTSA had manipulated the evidences that showcases the effectiveness of helmets and argue that bikers are forced to wear such things because of their love for motorcycle use. There is also the argument by opposing forces that the helmet laws violate the protection clause written within the Fourteenth Amendment, which discriminates motorcycle riders as a particular class. In one case, the Michigan Appeals Court argued that Michigan's state motorcycle laws violated the due process and protection to motorcyclists as it showcases paternalism and unconstitutional in nature. While the State should be permitted to have an interest in highway safety, it cannot just impose policies for drivers to wear helmets or use seat belts. Representatives James Howard (D-NJ) and Bud Schuster (R-PA) had supported fellow representative Stewart McKinney (R-CT) in stressing that the law would be mostly an infringement to cyclists' personal liberties because he would not be allowed to decide for himself as to how he can safely travel the roads without a helmet. . People are given their own right to decide for themselves and considering the issue at hand, they are aware of the possible implications should they not wear it and it is not up for the government to decide if they should change their position over the use of helmets.

Other groups even argue that society is affected greatly by mandatory motorcycle helmet laws as it affects the wellbeing of society. Clarke (2000) stated that in some countries wherein mandatory helmet laws were imposed

such as in Australia and UK, the public found not following the law are deprived of their rights and would have to pay crucial fines in the process. In Australia, for example, the number of children cycling in high schools in Sydney and New South Wales had decreased by about 53 percent. According to report, many children in the country had been put into prison for not wearing helmets. The children do not wear the helmets and refuse to do so given the loss of coolness when they wear their helmets. When they are caught, they would even refuse to pay the infringement ticket produced by the police and leads to detention and court. In this extent, human rights activists even argue that detention of these children does not uphold social standards and violate their rights. Many schools even have laws that regulate cycling students. Laws such as students found guilty of forgetting to wear or bring helmets would be expelled from the schools and would cause psychological trauma and abuse. In the United Kingdom, on the other hand, when motorcyclists find themselves getting less compensation if they do not have their helmets. This causes some people to take advantage over the cyclist, especially if they are minors . If this is allowed, there is a likelihood that people would be more reluctant in taking up motorcycling and end the industry and hobby.

In another argument raised by Clarke (2000), helmets are also still not effective protection given the many varieties and capabilities helmets now possess in the market. According to the studies provided, helmets can only stop 30-40% of the impact and 70% are taken in by the head and brain.

Wearing helmets may even double the impact force the head can receive in a motorcycle coalition that may put the victim in more risks. Most helmets do

not have additional safeguards in common impact zones that may still cause severe injuries for the brain. The brain is very soft and sensitive and can be damaged with only slight impact and force. Brain compression is also plausible even if the skull is protected by the helmet. Helmets also have the capacity to allow air velocity and g-forces that can disorient users once they travel in potholes or rough terrain. Helmets may also cause damages through its weight and heat resistant capabilities. The extra mass placed in the head may cause fatigue and inability to detect traffic as some helmets can reduce a person's capacity to hear certain sounds. The heat due to its exposure to the sun can also affect the cyclist's concentration and alertness, making the person lightheaded due to dehydration caused by excess sweating. Stress can also be attained by wearing helmets, as well as neck injuries due to the straps and weight of the helmet .

However, supporters of stricter and mandatory helmet laws remain adamant that it is essential to pass mandatory helmet laws considering the growing rate of deaths on motorcycle incidents. According to Houston and Richardson (2007) and Stein (2011), experts have proven that motorcycle helmets are capable of reducing the instances of severe head and neck injuries. The Washington State supported this study and stressed that crash victims were not wearing helmets are 3 times more at risk to severe head injuries as compared to helmeted riders. Another study showed that individuals were not wearing helmets were 2.4 times at risk to suffer a head injury due to a crash. With these estimates, it is concluded by the NHTSA that helmets are 37% effective in stopping motorcycle crash fatalities when riders are wearing it. However, while this may be the case, helmet use has already declined

since 2000 from 71% to 58% in 2004, highlighting that motorcycle riders and their passengers are not protected in any means while in the road . In a more specific study, according to Eastridge, et al (2006), nonhelmeted motorcyclists get more injuries and acuity injuries after a motorcycle collision in comparison to helmeted motorcyclists. Most of the non-helmeted motorcyclists are recorded to have severe traumatic brain injuries that have the capacity to paralyze or even kill the victim. Some also sustain very severe facial, spine, and neck injuries. Hospitalization for these injuries can take up to months and can charge up to \$39, 390 depending on the gravity of treatment needed.

Helmets also protect the motorcycle rider and the passenger especially in extreme weather conditions that may cause them to be unable to drive properly. Areas prone to dust and sand storms poses dangers to cyclists, especially to their eyes that may temporarily blind them. Helmets often have windscreen mirrors to protect the driver or the passenger, allowing them to see clearly. With the unpredictability of weather, helmets can protect them from intense rains, heat (some helmets have heat-resistant fabrics), and other weather patterns. Some helmets even have the capacity to protect riders from intense sun rays and frigid temperatures. Latest models of helmets also have masks within them to protect them from direct contact with smoke coming from vehicles. Some riders even showcase signs of getting respiratory diseases and complications because of their exposure to harmful smog .

Having stronger and mandatory helmet laws, according to Naumann and Shults (2012), would have the capacity to reduce the death rates on

motorcycle related incidents due to the lack of helmet use. In their study, it is discovered that the helmet law had been able to reduce deaths of up to four times since 2010 as compared to states that do not have a specific helmet law. In addition to the reduction on motorcycle fatalities due to the lack of use of helmets, states report a savings of almost \$12 million which was originally intended for medication and patient recovery especially in 2010. Given this savings, if the entire community of motorcyclists and their passengers support the policy, the state can save \$14 million dollars in estimate. Although some people contest this fact because of possible infringement to their liberties, the money can be utilized to the cyclists and the government's benefit. The cyclists can save medication costs and treatment due to the use of their helmets, which would protect them from debilitating complications. Such money can then be allotted by the cyclists towards other important expenses. In the case of the government, the continuous market for helmets would aid in revenue collection and income for the country. The government can use the funds to improve roads and safety precautions for the public and for the cyclists, as well as ensuring that there are funds for accident assistance and rehabilitation programs . Studies; however, imply that the numbers may be different considering there are motorcycle coalitions that are not reported by the police and the current charges of hospitals regarding injuries have changed significantly each year. With almost 197, 608 nonfatal motorcycle crashes reported in the country since 2000 to 2002 with victims that do not have helmets, it is estimated that almost \$250, 231, 734 each year is spend just because of medical expenses and treatment. Most of these victims also do not have private

health insurance, making it difficult for the government to utilize its resources to aid these cyclists through the state and local taxes. If this continues further, it is likely that the costs would continue to increase and the government would be bankrupted due to the fees they would have to sustain .

As of today, Neiman (2008) states that the US now has a half of its states requiring helmet standards and policies to its people. Forty-seven states impose strict helmet laws with 19 of these states having a universal law requiring all riders to wear a helmet. The remaining 28 states only require helmets for specified riders. Only Illinois, Iowa and New Hampshire remain without a helmet law due to the political lobbies continuously stopping the enactment of these laws. Nonetheless, states remain adamant in enforcing these policies especially due to the benefits it bears. In addition to the specified benefits, the law even provides safety training for children as wearing helmets would instill the idea of being saved from incidents of crashes and the like. The government believes that through primer of improved training and infrastructure for the cyclists with the motive of creating awareness on the road users lead to improved safety while cycling. In addition to this, Robinson (2006) stress that the helmet laws enable cyclists of any level to reduce their traffic violations and would accordingly dress to protect themselves from fellow drivers. Children would even opt to drive around motorcycle/bicycle friendly lanes in order to prevent collision with motor vehicles . The political systems of many countries have also taken the initiative of improving the cycle proof roads with the intent of creating better roads for both the cyclists and the motorists .

In a personal view, the significance of the helmet law is undeniable. On the one hand, enforcing the law does force the riders to engage in safety measures that will help reduce the loss of people that would bring positive change to the nation building process. However, educating and teaching the cyclists and their passengers safety measures and techniques of riding should not be a substitute for the adoption of the helmet law. The activity of teaching and educating these riders and their passengers should be a supplementary action to help in reducing the risks involved in such fatal accidents along the roads. Additionally, it is difficult to enforce the helmet law, which makes facilitating such education programs for cyclists a proper alternative in introducing the helmet law and explain the significance of it in reducing fatal deaths and losses. All should adopt the helmet law, in addition to these suggestions of educating the motorcyclists in the endeavor to reduce motorcycle related accidents and deaths.

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