

Compliance with and enforcement of the current helmet law is excellent. I believe that the benefits of this law are obvious. But I do not veto House Bill 1096 on the basis of trends in other States or our own State's traffic safety record. I do so based upon the evidence as presented to me in the hundreds of communications which I have received in the past six weeks.

Opponents of the bill point to several jurisdictions which have repealed similar helmet laws. Specifically, the experience in Kansas indicates that, during the first year after repeal, although there was an insignificant increase in motorcycle accidents, the resultant types and severity of injuries sustained in motorcycle accidents changed greatly. In fact, the incidence of head trauma increased by 70%. And the death rate for those motorcyclists not wearing a helmet at the time of accident was three times greater than the rate for those who were wearing a helmet. Underlying this data is the obvious conclusion that one effect of a repeal of a mandatory helmet law is that voluntary helmet usage will decline.

The opponents also rely upon a California study which found that impact to the head occurs in 70% of all motorcycle accidents. The conclusion of that study was that the wearing of a helmet was vital to preventing head and neck injuries when that impact occurs.

The proponents of House Bill 1096 claim that wearing a helmet is detrimental to safety because it impairs hearing and vision, and if head impact occurs, the helmet may even contribute to neck injury. I cannot find any evidence to substantiate these claims. Nor can I believe that the members of the General Assembly were aware of such evidence. If they had, I do not believe that they would have continued to mandate helmet usage for 16 and 17 year old operators and riders, a provisions which, in any event, will prove difficult to enforce.

Above all, the proponents of the bill argue that the issue is freedom of choice, and that one's freedom to wear or not wear a helmet is paramount to any safety considerations. If helmet usage is proven to be beneficial, and if the law's repeal will result in a decline in the use of helmets and a concurrent increase in the types and severity of head injury, then I cannot agree. The State has an interest, in this instance, in protecting its citizens, despite the inconvenience or intrusion which some may believe to be inherent in this law. This is not a complex legal issue. It is a simple issue of safety.

The experience in several jurisdictions has shown that the repeal of a mandatory helmet law indirectly contributes to an increase in head injuries and deaths. The experience is thus far limited because the trend to repeal such laws is