

Mandatory Bicycle Helmets

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Issue Background

By [Linda Gorman](#)

Summary: House Bill 1103 bill assumes that parents do not sufficiently protect their children against the risk of cycling head injuries. It would replace parental decisions about appropriate risk with a government rule that would fine the parents of children who do not wear bicycle helmets when cycling.

What the Bill Does: Parents of anyone under 16 years of age who is operating or riding a bicycle on a public roadway, bicycle lane, or bicycle path and who is not wearing an approved bicycle helmet as the helmet was designed to be worn would be at fault. They will be cited for a class B traffic infraction with a minimum of a \$15 fine.

Parents who knowingly allow their children to ride without a helmet also commit the offense of endangering a bicyclist. The bill also allows the Department of Public Safety to establish a statewide bicycle helmet education program to reduce bicycle-related injuries and fatalities.

People whose religion frowns on helmet use are exempt from this law.

Discussion: Studies of bicycle-crash admissions to trauma centers suggest that bicycle helmets reduce the severity of head injuries. Those who want national helmet laws for children have used these data to conclude that up to 184 pediatric deaths a year could be prevented if children were required to wear helmets.¹ Their assumption is that helmet laws will increase helmet use and thus reduce head injuries.

But use by itself does not confer health benefits and these estimates almost certainly overstate the benefits of helmets. Helmet wearers are a self-selected group. As a group, they may tend to ride their bicycles more safely and may end up in trauma wards less often simply because safer riding means fewer crashes. This point was made quite clearly by the authors of an epidemiological study of the 2,333 children aged 0 to 14 who ended up in U.S. trauma centers as a result of bicycle accidents during 1989 through 1992. Although they urged an increase in helmet use, the researchers noted that special attention should be paid to high-risk groups, such as children with mental disorders and children who are likely to ride in traffic² as these factors also increased the risk of head injuries.

Survey data from Australia suggest that the greatest effect of helmet laws is to discourage cycling.³ Cycling by children fell by a third in the two years after the mandatory law was passed. Estimates of the benefits of cycling outweigh its risks by about 20 to 1, even without helmets. This means that helmet laws are more likely to degrade public health than improve it. (According to D.L. Robinson of the University of New England, Armidale, Australia, the risk of dying of head injury per hours is similar for unhelmeted cyclists and motor vehicle occupants. Requiring mandatory helmets for motor vehicle occupants has the potential to save 17 times as many people from death by head injury...without the adverse effects of discouraging a healthy and pollution free mode of transport.⁴

Helmet laws may also have a lower than expected effect on serious injury rates because those most likely to be injured also are most likely to flout the law, and because people who feel safer often engage in riskier behavior. This is an important consideration given that an estimated half of pediatric injuries are the result of bicycle-motor vehicle collisions and the cyclist is usually at fault. The experience with child-proof aspirin bottles is a case in point. The caps were supposed to reduce poisoning deaths. In fact they did not, apparently because people were less careful about storing the bottles out of the reach of children.

Health effects aside, the real question here is whether or not the state believes that parents should have the primary responsibility for raising children. If it does, it has no business micromanaging something with a risk as low as riding a bicycle without a helmet. Parents must routinely balance risks that lawmakers never even think of. A school-hating child is perfectly capable of figuring out that losing his helmet at the last minute means that he can miss some school. A parent alert to the dodge would probably decide that making the point that losing ones things is no excuse for missing school is more important than the (slight) increase in the risk of injury from riding a bicycle without a helmet. The child would be shoved out the door and off to school without a helmet. Should the state ticket or reward such discernment?

This law also erodes parental authority by giving children another way to threaten parents with the state. To the standard if you make me do that Ill call child protective services threat can now be added the if you do that Ill ride without my helmet, say you said it was o.k., and get you fined. Furthermore, it is just plain silly to say that parents who knowingly allow their children to ride without a helmet are guilty of commit[ing] the offense of endangering a bicyclist. Failing to reduce an already small risk is not the same as endangering someone. Whats next? Accusations of child abuse when kids ride without helmets?

Perhaps the ultimate irony is that this kind of law forces people on tight budgets to spend money on helmets when their kids might benefit more from

another kind of expenditure. The irony is that Colorado currently requires insurers to pay for mammograms under the theory that women might not be able to afford the \$70.00 cost. If the state has determined that families cant afford \$70.00 every few years for a mammogram, why is it forcing them to lay out \$30.00 a kid for bicycle helmets?

Look for helmet subsidy programs next year.

To read letters discussing this topic in the online *British Medical Journal* go to www.bmj.com/cgi/content/full/314/7073/69 and www.bmj.com/cgi/content/full/313/7057/629/a.

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¹Soisin DM, Sacks JJ, Webb KW. "Pediatric head injuries and deaths from bicycling in the United States." *Pediatrics* 1996 Nov; 98(5):868-70.

² Li G, Baker SP, Fowler C, DiScala C. "Factors related to the presence of head injury in bicycle-related pediatric trauma patients." *J Trauma* 1995 Jun; 38(6):871-5.

³Finch CF, Heinman L, Neiger D. *Bicycle use and helmet wearing rates in Melbourne, 1987 to 1992: the influence of the helmet wearing law*. Melbourne: Monash University Accident Research Centre, 1993. (Report no 45.)

⁴Robinson DL. "Head injuries and bicycle helmet laws." *Accid Anal Prev* 1996 Jul;28(4):463-75