

Bruce on Bikers' Rights

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OPEN LETTER TO THE UNION FOR REFORM JUDAISM *"Bad Results from Good Intentions: The High Cost of Helmet Laws"*

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Union for Reform Judaism
Attn: Emily Grotta, Director of Marketing & Communications (ESGrotta@urj.org)
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To Jennifer Kaufman, Chair, 2007 Resolutions Committee:

According to page 22 of your "Proposed Resolutions for the 69th General Assembly" of the Union for Reform Judaism ("URJ") to be held in San Diego, CA on December 12-16, 2007...

<http://tinyurl.com/ywyh6g>

...one of the resolutions to be proposed reads as follows:

"THEREFORE, the Union for Reform Judaism resolves to: ... "Call on state, provincial and local governments to strengthen and enforce safety legislation, such as mandatory helmet and seatbelt laws that can reduce TBIs [traumatic brain injuries];"

If the intent of this resolution is to lobby for laws that place helmets on the heads of ALL motor vehicle operators and occupants, then you can ignore the rest of this letter. If on the other hand the intent is to lobby for mandatory helmet laws that apply to motorcyclists only, please read on.

I don't know enough about the socio-political agenda of the URJ to speculate as to how this resolution came about, so I will assume that it was proposed with the best of intentions, i.e. to reduce human suffering and save lives. And if that assumption is correct, then I'm afraid I have some bad news for you:

THE ROAD TO HELL IS PAVED WITH GOOD INTENTIONS ... AND THIS IS ONE OF THEM.

Yes, there can be no question that wearing helmets may reduce injuries and save lives. But the issue here is not the utility of *helmets*. The issue is the futility of *helmet laws*. **Viewed from an overall perspective, mandatory motorcycle helmet laws do not yield a net social benefit. Instead, they create a significant opportunity cost.** I offer the following three points in support of this contention:

1. Motorcycle Helmet Laws Have No Significant Impact on Traumatic Brain Injuries.

According to the Center for Disease Control...

<http://tinyurl.com/2lcge8>

...of the 1.4 million who sustain TBI each year, 1.1 million are quickly treated and released. Of the 50,000 who die and the 235,000 who are hospitalized, "*...the two age groups at highest risk for TBI are 0 to 4 year olds and 15 to 19 year olds*". Only 20% of all TBIs are motor vehicle related, which represents 10,000 deaths and 47,000 serious injuries. And if the breakdown from the 1995-1996 study quoted here remains accurate...

<http://tinyurl.com/2w39bg>

...only 6% of that 20% relates to motorcycles. In other words, **ONLY 1.2% OF TBIs ARE MOTORCYCLE-RELATED**, which represents only 600 deaths and 2,820 serious injuries. And for the URJ, that in turn means that **YOUR PROPOSED RESOLUTION TO LOBBY FOR MANDATORY MOTORCYCLE HELMET LAWS FAILS TO ADDRESS 98.8% OF THE TBI PROBLEM.**

I'd say that's a pretty ineffective way to "reduce human suffering and save lives", wouldn't you? Surely the URJ can find a more rewarding way to invest your humanitarian resources!

2. Helmet Laws Cost Lives by Impeding More Effective Motorcycle Safety Policies.

The Law of Unintended Consequences tells us that almost all human actions will have at least one unexpected result. Nowhere do we see this axiom substantiated more so than in social legislation and public policy in general...

<http://tinyurl.com/34un94>

...and mandatory motorcycle helmet laws in particular. Helmet laws are the quintessence of "feel good" legislation. They are aggressively promoted by Haddonistic safetycrats as the cure-all for motorcycle safety...

<http://tinyurl.com/2ttq9v>

...when the fact is, statistics provided by the National Highway Traffic Safety Administration ("NHTSA") indicate that **last year, if we had strapped a helmet on the head of every American motorcyclist for every mile they road for the entire year, no more than 747 lives would have been saved:**

<http://tinyurl.com/2qh46a>

I am not saying that those 747 lives are not important, but the sad fact is that they represent less than 16% of the 4,810 motorcycle fatalities that occurred in 2006 (**2,792--58%--of which were wearing helmets and died anyway**). What I am saying is that by focusing on a policy that

impacts only 16% of the problem, we take attention, awareness and resources away from initiatives that would have a far better chance of reducing human suffering and saving lives by addressing **the other 84 percent**:

<http://tinyurl.com/ytxee7>

So as you can see, URJ, your proposed resolution to lobby for mandatory motorcycle helmet laws is not just an ineffective strategy for reducing TBIs. It also misses the mark when it comes to saving motorcyclists' lives!

3. Focusing on Motorcycle Safety Detracts From Greater Live-Saving Social Potentials.

I commend the URJ for its efforts to reduce the human suffering and loss of life associated with traumatic brain injuries, but I hope you now see that lobbying for mandatory motorcycle helmet laws will have about as much impact on TBIs as throwing spitballs at a battleship. And to the extent that your proposal might have been made with the intention of reducing motorcycle fatalities, I thank you ... BUT ... please understand that by focusing on the 16% that might be saved by *crash survival* rather than the 84% that might be saved by *crash prevention*, you are needlessly increasing motorcycle casualties, and sacrificing lives rather than saving them. I also challenge you to ask yourself the following question:

WHY IS THE URJ SO CONCERNED ABOUT SAVING THE LIVES OF 747 BIKERS?

If your motive truly is to “reduce human suffering and save lives”, surely you can quickly compile a long list of worthy humanitarian causes that do not entail the discrimination, high opportunity costs and questionable social benefits associated with mandatory helmet laws. I'll even give you three ideas to point you in the right direction:

(1) If you want to make a positive impact in the transportation safety arena, consider lobbying to restrict cell phone conversations while driving. As I wrote to National Transportation Safety Board (“NTSB”) Chairman Mark Rosenker:

“...you either knew or should have known that (a) we have 236 million cellphone subscribers on our roadways, (b) 73% of them are talking while they are driving, (c) cellphone conversations impair their driving skills as much if they were intoxicated with alcohol, consequently (d) they are four times more likely to cause or be involved in an accident than motorists who responsibly shut up and steer, and resultantly (e) assuming reports of the Oklahoma Highway Safety Office are a reliable measure, roughly ONE IN FOUR ACCIDENTS in 2006 occurred when a driver was talking on the phone. So barring evidence to the contrary, as NTSB Chairman you either knew or should have known that it would be reasonable to assume that cellphone conversation-impaired motorists could have been responsible for 25 percent (or more) of the 2,575,000 traffic injuries and 42,642 traffic fatalities reported by NHTSA for 2006.... And rather than using the taxpayer-provided resources of your bureaucratic office to pursue restrictions on the use of cell phones while driving, which might have saved 10,660 lives (25% of 42,642 fatalities) last year, you chose instead to go on what the press calls a mandatory helmet law 'crusade', which in comparison might have saved at best only [747] lives. Had you made the responsible choice, Mr.

Rosenker, our nation could be saving almost 15 TIMES AS MANY LIVES by restricting the use of cellphones by drivers rather than requiring helmets for riders."

<http://tinyurl.com/ytxee7>

(2) Or what about a national health care initiative with even greater life-saving potentials? What if you could save up to 103,000 lives annually just by making doctors and nurses wash their hands between patients? As I wrote to Federal Highway Administration ("FHWA") Administrator Richard Capka:

"According to HospitalInfection.org, "Every year in this country, two million patients contract infections in hospitals, and an estimated 103,000 die as a result, as many deaths as from AIDS, breast cancer, and auto accidents combined."

<http://tinyurl.com/36bzok>

In other words, last year 21.4 times as many people died from going to the hospital as died from riding a motorcycle."

<http://tinyurl.com/2qh46a>

(3) Or better yet, why not direct your humanitarian efforts towards initiatives that benefit *all* of mankind? **You might start with a proposed resolution that the Union for Reform Judaism commit itself to saving us all from Global Warming, Corrupt Politicians, Bungling Bureaucrats, Greedy Capitalists, Religious Fanatics, and Misguided Do-Gooders...**

Speaking strictly for myself and no other individuals or organizations,

Bruce Arnold

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