

Bruce on Bikers' Rights

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OPEN LETTER TO KRISTEN MERTZ & HAROLD WEISS *AP Floods Media with Flawed Statistics from Pittsburgh Professors*

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To Professors Mertz and Weiss:

As an American citizen whose tax dollars fund the grants that subsidize you, and having in addition paid \$10.00 for the privilege of downloading a copy of your report entitled **“Changes in Motorcycle-Related Head Injury Deaths, Hospitalizations, and Hospital Charges Following Repeal of Pennsylvania’s Mandatory Motorcycle Helmet Law”**...

<http://tinyurl.com/3glcez>

...please allow me to convey my assessment of same. I will start with your conclusion and work my way back to the data ... much the same as I suspect you did.

Let me begin by assuring you it does not take a PhD to appreciate the utility of a helmet. A motorcycle was my exclusive form of transportation long before gas topped four dollars a gallon. And as a 24/7 biker and long distance rider, I use and recommend the use of helmets when riding



a motorcycle. **But the issue here is not the utility of helmets.** The issue here is the futility of mandatory motorcycle *helmet laws* ... laws that are arbitrary in definition, discriminatory in application, and heinous examples of “feel good” social legislation the unintended consequences of which include the loss of life and liberty by the very citizens they purportedly protect. That said, let’s take a look at your conclusion:

“These data strongly suggest that Pennsylvania’s mandatory helmet law was effective in preventing traumatic brain injury, given that its repeal led to disproportionate increases in head injuries.”

Again, one does not need a PhD to see the logical fallacy in this statement: Unless your data PROVED that “*Pennsylvania’s mandatory helmet law was effective in preventing traumatic brain injury*”, you cannot truthfully say that its repeal led to “*increases in head injuries*”, proportionate or otherwise. And “*strongly suggest*” does not mean “prove”, professors. For that matter, where did “*strongly suggest*” come from? Only a few paragraphs earlier, you stated:

“The large postrepeal increases in head injuries relative to nonhead injuries, both for statewide deaths and hospital discharges, indicate that lower helmet use was most likely responsible.”

Jumping from “*indicate*” to “*strongly suggest*” is a pretty big leap. And in this case, your leap was not substantiated within the framework of your content.

So, having proven your conclusion to be a bit of a stretch if not totally specious, the next step in our backtracking would be to see if your research does at least “*indicate*” that lower helmet use led to disproportionate increases in head injuries:

But we can’t do that. Why? Because your analysis did not factor in pre- and post-repeal helmet usage for the overall PA motorcycling population. And although you do mention that “*helmet usage in reportable crashes in Pennsylvania declined from 82% in 2001-2003 to 58% after the repeal*”, I fail to see where you segregated your crash, injury and fatality data in order to develop independent statistics for the helmeted versus unhelmeted population segments. And without that segregation, I fail to see how you can make any objective comparisons—or draw any statistically valid conclusions—about the crashes, injuries or fatalities of helmeted versus unhelmeted riders over the course of the pre- and post-repeal periods that frame your “research”.

In other words, my learned friends, although your data does in fact “*indicate*” an increase in head injuries resulting from motorcycle accidents in Pennsylvania for 2004-2005 over 2001-2002, **you established no causative correlation between that increase and the helmet law repeal or any change in helmet usage that may have resulted therefrom.** In fact, there is nothing in your published data that even proves the increase (or any portion thereof) to be attributable to accidents involving helmetless riders. Consequently, it would be plausible to suggest that helmets failed to prevent—or caused or contributed to—some of these head injuries, and even likely that **a significant portion of the increase is due more to what the rider hit than what the rider wore.** As Moonrider graphically conveys in her two-part video on “Dangerous Designs”...

<http://tinyurl.com/5qs9zq> (Part 1)

<http://tinyurl.com/6or6uj> (Part 2)

...in many recent accidents riders are colliding with supersized SUVs and similar light truck vehicles ("LTVs"), resulting in disproportionately high fatality-to-injury ratios, including increased head and neck injuries.

I don't know what your true agenda is, professors. Maybe you have to "publish or perish". Or perhaps you saw this as a good opportunity for the Associated Press to give you your fifteen minutes of fame. But if you really want to help make our highways safer by restricting personal freedoms, consider championing cell phone bans. **Legislation restricting cell phone conversations while driving could save up to 15 times as many lives as mandatory motorcycle helmet laws**, and would be far less discriminatory:

<http://tinyurl.com/54s4et>

If on the other hand you're more interested in head injuries than highway accidents, I have news for you. **Only 1.2% of all traumatic brain injuries (TBIs) are motorcycle-related, which means that mandatory motorcycle helmet laws are irrelevant in 98.8% of all TBI cases:**

<http://tinyurl.com/yuyrht>

You may good intentions here, professors, but if so you need to recognize the unintended consequences of you actions: By shifting attention away from a much-needed focus on **crash prevention**, you are costing far more motorcyclists' lives than will ever be saved by your myopic advocacy of a failed public policy based on **crash survival**.

Speaking strictly for myself and no other individuals or organizations,

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