

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1411

2001 HOUSE TRANSPORTATION

HB 1411

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1411

House Transportation Committee

☐ Conference Committee

Hearing Date February 2, 2001

Tape Number	Side A	Side B	Meter #
1	x		179
Committee Clerk Signature <i>Laurie L. Fante</i>			

Minutes: Rep. Weisz - Chairman opened the hearing on HB 1411; A BILL for an Act to create and enact two new sections to chapter 39-10.1 of the North Dakota Century Code, relating to bicycle helmets and restraining seats; to amend and reenact section 39-10.1-01 of the North Dakota Century Code, relating to bicycles; and to provide a penalty.

Rep. Jensen: I am State Representative Roxanne Jensen from District 17. I introduced this bill at the request of the Grand Forks firemen. Two statistics -- number 1, bike helmets reduce the risk of head injury by as much as 85%; and, two it is estimated that 75% of bicycle related fatalities among children could be prevented with bicycle helmet use. This bill was before you two years ago. It was brought to you by two ND medical students who were part of medical team who treated an 8 year old boy who was badly injured in a bike-car accident. The boy while riding a bike was hit by a pickup truck at highway speeds. The boy was not wearing a helmet. The force of the impact went to his head. His life will never be the same for the boy or for his family. His injuries include traumatic brain damage, multiple skull fractures --- the boy now needs speech

therapy, physical and occupational therapy-- special education and physiological counseling. He continues to experience left side paralysis, right visual field deficit, traumatic personality changes, behavioral problems, sometimes attention span aggression, unrestrained displays of affection, and distractibility. That's our first tragedy. Aside from the personal costs involved there is the medical cost -- approximately 2 million dollars for the first year of care following the accident -- the life time costs of this accident will exceed 6 million dollars. Most of this will be paid for by tax payers dollars. That is the second tragedy, but heres the worst tragedy -- there is great evidence that you heard in our opening statistics that 85% chance that this catastrophic accident could have been prevented. Bicycle helmet legislation is effective and is increasing helmet usage -- therefore reducing bicycle related injuries and deaths. One example shows 5 years following a states passage of mandatory laws for children-- bicycle related fatalities decreased by 60%. That is why this bill is before you again. I ask this committee give this bill a favorable recommendation. I have distributed e-mail letters sent to me. Copies are attached.

Carol Holzer: ( 408 ) Director of the Injury Prevention Program in the (ND) Health Department.  
A copy of her prepared testimony is attached.

Rep. Kelsch: ( 998 ) Because I don't have the definition of a minor right in front of me -- is it up to the age of 18?

Carol Holzer: Yes it is.

Rep. Kelsch: ( 1021 ) On the second page, the violation fee is not to exceed \$5.00 - that is low for enforcement to enforce - is that going to be payable at the site or is that going to be like a ticket -- ?

Carol Holzer: I am not sure how that would be handled.

Rep. Mahoney: ( 1061 ) To follow up on what Rep. Kelseh is asking -- When this came up before it was a real concern for law enforcement -- have you talked with any law enforcement people?

Do they really think it is possible -- to take a 6 or an 8 year and pull them over -- to be able to enforce this?

Carol Holzer: I have not gotten any opposition -- I have mentioned it - - we certainly have discussed it at our Bismarek Safety Council, yesterday -- there was Law Enforcement in the room -- and they did not say that it wouldn't be enforced --but they did not say that it would either.

Rep. Weisz - Chairman recognizing peer pressure which I think is one of the big problems with drug abuse -- how do you see the question of peer pressure effecting getting the kids to use helmets? How do you see this law is going to reduce the peer pressure?

Carol Holzer: It is definitely an issue -- I think in this case the parents would back this one up -- I have used the child restraint law as an example that many parents when the law changed for the teenagers -- many parents said now you have use them.

Rep. Schmidt: ( 1195 ) A long with the Chairman's question - I was approached there is peer pressure in wearing Nike tennis shoes -- they are very expensive -- some parents can afford them and some parents can't -- they approached me -- so there is peer pressure -- so I realize what you are trying to do here and everything but the peer pressure issue is we could get into whole lot of issues -- tennis shoes --how do you answer that?

Carol Holzer: I think that the difference is that the peer pressure between Nike tennis shoes and a bike helmet not wearing the Nike tennis shoes is not going to cause a head injury to the child.

The parents will buy the helmet.

Rep. Mahoney: ( 1274 ) You told us the cost of these helmets you have here is \$ 5 - \$7 but in the store they are \$50.

Carol Holzer: We have paid \$5 - \$7 when we purchased these but you can buy these same helmets a Target stores for \$10 while at a sporting goods store you can pay anywhere from \$50.

Rep. Mahoney: And the cheaper ones meet the same specifications?

Carol Holzer: Yes, they do.

Rep. Pollert - Vice Chairman: ( 1309 ) Could you see a renegade type backlash on this -- kinds like smoking -- when the law says that we are mandating that these helmets have to worn, these kids will put on the peer pressure -- that the kids will wear them a couple of minutes until they get down the block an then take them off and they get that maverick top gun feeling -- could you see that happening?

Carol Holler: I guess I haven't given it enough thought -- in that case, I would kind of imagine that might happen although -- because there is the \$5 penalty these would be a lot of education that would go with that. Copies of letter from the Bismarck-Mandan Safety Council to Carol Holzer are attached.

Derek Hanson: I am President of the ND EMS Association. We support this bill. A copy of his prepared remarks are attached here.

Sharon Moos: Executive Administrator of the ND Nurses Association spoke in support of HB 1411. A copy of her prepared remarks are attached.

Rep. Weisz - Chairman ( 1785 ) Your testimony indicates that education is not doing the job but yet the main thrust of this legislation would be education --- if education isn't effective how will this law be effective?

Sharon Moos: I guess I would agree with the previous testimony that it puts a little punch behind the parents when they know it is the law.

Rep. Mahoney: ( 1837 ) About the requirement in here that kids up to 40 pounds -- the restrain requirements -- you see a lot of little kids on bikes with training wheels -- do you envision putting seat belts on bikes?

Sharon Moos: There are people who speak to that better than I.

Ed Grosbauer: I am an EMT from Grand Forks and I am a fireman. We formed a Safety Coalition and we have very successful program. We sell \$5 T-shirts which have various slogans and we give them out as a rewards program when we see kids practicing good bicycle habits and the kids are proud to wear them. So \$5 does save lives. We are in full support of this legislation.

Rep. Weisz - Chairman Is there any problem in getting funds for your distribution program?

Ed Grosbauer: Along with the State and the Department of Transportation we are able to get some funds that way -- Child Health has supported some of our programs -- The Safety Coalition has given us some help --

Rep. Doseh: ( 2226 ) You mention incentives -- About two years ago, we with our kids were riding on the bike trails here in Bismarek --the kids were wearing their helmets -- a police officer pulled us over and he gave our kids some gift certificates for free Dairy Queens -- this made an impression on ours kids and for a long time after that they were hoping they might get some more free Dairy Queens but they wore their helmets. Incentives work.

Ed Grosbauer: Not only the incentives, we do the bike rodeos with the Optimists Club, anything to keep them involved in biking and wearing their helmets.

Rep. Mahoney: ( 2504 ) If we enact this it is going to be negative reinforcement because of the penalty -- I assume that the people involved in the programs you have talked about will continue?

Ed Grosbauer: Absolutely. We are certain that we want to continue.

Rep. Carlson: ( 2564 ) In the DOT, what is the definition of a highway? We are talking about mandating -- it says bike paths - we have a large rural area --what does a highway mean? A city street?

Rep. Mahoney: ( 2595 ) Any public road.

Dave Peske: I am representing the ND Medical Association which is a statewide for physician membership. I am also authorized as a lobbyist for the ND Academy of Pediatrics.

They were not able to be here today. When this bill was first introduced by the medical students, the medical association took the position to support this bill. I have a handout on the position taken by the American Medical Association has taken. I have single copy of the 17 states which have enacted mandatory bicycle helmet laws and various features of that.

Rep. Kelsch: ( 2871 ) One of your organization members -- when I take my children in for their physicals always ask them whether they wear their bike helmets. I think that is a real good thing, especially for my teenage boys. They are doing their job out there.

Dave Peske: Thank you , Rep. Kelsch -- that is good to hear.

Jan Schmidt: I am a Registered Nurse and I am here as a private citizen. I agree with the previous testimony and I want to support this legislation. I have a background in emergency nursing and I learned early in my career that the only good way to treat injuries is through prevention. This is especially true for head injuries. We do give away bike helmets where I work. I see them worn



but not nearly enough so we need this added piece of encouragement for people to wear the helmets they have.

Lois Hartman: I represent the ND Firemen's Association and the EMT's Support Services. We want to on record supporting this bill.

Rep. Schmidt ( 3173 ) Maybe someone on the committee can answer this -- what is the difference between this bill and the one two years ago?

Rep. Weisz - Chairman ( 3181 ) Some of the differences will be discussed when it comes before the committee for action.

Rep. Weisz - Chairman ( 3229 ) If there is no one for or against --

John Olson: Will you take a neutral? I am here representing the ND States Attorneys and the ND Peace Officers Association. They have met and wanted me tell you that they are not against the bill who would be? If you enact this into law you should expect it to be enforced. For this to take effect -- the process is for enforcement of a \$5 fee -- Law Enforcement on the front will have the ability to pull a juvenile over and issue him/her a citation --much the same way any traffic citation would be -- that citation will be handled in District Court -- they will be prosecuted by a States Attorney if that needs to happen -- and so forth and so on. The other procedure would be if you are going to enforce this law against a parent who otherwise was not on the scene and can not be issued a citation but that process would require a person such as a law enforcement officer to go a states attorney and request a complaint or citation to be issued and served -- and prosecuted the same way -- so that is the process involved. We will accept any law you enact. Any law should be enforced, we know there are priorities involved but -- that doesn't detract from the seriousness of the violation.

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House Transportation Committee

Bill/Resolution Number HB 1411

Hearing Date February 2, 2001

Rep. Carlson: ( 3510 ) As I look at this picture I can see my 16 year old come home school with his helmet on - takes it off and gets on his motorcycle and rides off. He needs a helmet to ride his bike but not his motorcycle. It doesn't seem right.

John Olson: I will not comment, your are the policy maker.

Rep. Mahoney: ( 3688 ) My problem a couple of years ago with this bill was the enforcement. I guess I am not so inclined that way this time but obviously my problem is that some people are going to be difficult and say for \$5 dollars I am going to take this court and try it out. It is going to be prosecutorial discretion and my guess it is no going to be prosecuted or enforced.

John Olson: That is absolutely correct. I guess I was trying to make the point the law enforcement in general do not want laws enact just on principal and for education.

Judy Froseth: I am the Traffic Safety Program Director for the ND DOT. I just want to correct a fact - There is indeed an helmet law which requires that a helmet for individuals under the age of 18 who ride motorcycles. Further, the driver needs to wear a helmet, then the rider ( passenger ) must also wear a helmet regardless of his/her age.

Rep. Weisz - Chairman There being no further testimony either for or against or neutral the hearing for any further testimony on HB 1411 is closed. ( 3905 ).

Date: 2/9/01  
Roll Call Vote #:

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1411

House Transportation Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass as Amended

Motion Made By Rep. Jensen Seconded By Rep. Thoreson

Representatives	Yes	No	Representatives	Yes	No
Robin Welsz - Chairman		✓	Howard Grumbo	✓	
Chet Pollert - Vice Chairman		✓	John Mahoney	✓	
Al Carlson		✓	Arlo E. Schmidt	✓	
Mark A. Dosch	✓		Elwood Thorpe		✓
Kathy Hawken	✓				
Roxanne Jensen	✓				
RaeAnn G. Kelsch		✓			
Clara Sue Price	✓				
Dan Ruby		✓			
Laurel Thoreson	✓				

Total (Yes) 7 No 6

Absent 1

Floor Assignment Rep. Jensen

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)  
February 12, 2001 9:19 a.m.

Module No: HR-25-3010  
Carrier: Jensen  
Insert LC: 10693.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**

HB 1411: Transportation Committee (Rep. Welsz, Chairman) recommends  
**AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**  
(7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1411 was placed on the Sixth  
order on the calendar.

Page 1, line 15, replace "A minor" with "An individual under sixteen years of age" and after  
"bicycle" insert ", be in a restraining seat on a bicycle,"

Page 1, line 16, replace "minor" with "individual"

Page 1, line 18, replace "An individual" with "A passenger on a bicycle"

Renumber accordingly

2001 TESTIMONY

HB 1411

PROPOSED AMENDMENTS TO HOUSE BILL 1411

Page 1, line 15 replace "A minor" with "An individual under sixteen years of age"

Page 1, line 18, after "individual" insert "under sixteen years of age"

Page 2, line 3, after the period insert "No fee shall be assessed for a violation of the requirements for helmets and restraining seat use provided for under this chapter."



elwags@earthlink.net

02/01/2001 10:26 PM

Please respond to  
elwags

To: rjensen@state.nd.us

cc:

Subject: House Bill 1411

Dear Representative Jensen:

The Professional Fire Fighters of North Dakota are in support of House Bill 1411. This Bill relates to bicycle helmets and restraining seats. Studies have shown that bicycle use is at an all-time high throughout the United States and is on the rise in North Dakota.

Bicycle helmets have been shown to reduce the risk of head injuries by as much as 85% and the risk of brain injury by as much as 88%. Bicycle helmets have also been shown to offer substantial protection to the forehead and mid face. It is estimated that 75% of bicycle-related fatalities among children could be prevented with bicycle helmets. Riding without a bicycle helmet increases the risk of sustaining a head injury in the event of a crash. Non-helmet riders are 14 times more likely to be involved in a fatal crash than bicyclists wearing a helmet.

Therefore, the Professional Fire Fighters of North Dakota feel that passage of House Bill 1411 will help in reducing these percentages and provide a safer activity for our young people.

Respectfully submitted,

Terry Wagner, President

Professional Fire Fighters of North Dakota

>From: Doc Jon <bradbury@medicine.nodak.edu>

>To: local1099@hotmail.com

>Date: Thu, 01 Feb 2001 11:20:18 -0600

>

>

>

>To whom it may concern:

>

> I am writing this letter in strong support of the recently  
proposed house

>bill 1411. As a physician, I feel that helmet safety has been over looked  
>for long enough. The multiple, needless head trauma that I see on a  
>regular basis as a physician, could be prevented with the mandating of  
>helmet use.

> Having grown up in the great state of North Dakota, I realize  
that we are

>very conservative in nature and often feel that we need to govern ourselves  
>and that mandating the use of helmets is against our very nature, but I  
>feel it is very important to the safety of our young people that we do just  
>this.

> Please take the time to strongly consider this bill and the  
safety of this

>states most valuable resource, our children.

> Obviously, this bill is very important to me and I think I speak  
for the

>entire health care profession in stressing the importance of this issue.

> Thank you for your time.

>

>

> Sincerely,

>

>

> Jon Bradbury, MD

>

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# National SAFE KIDS Campaign

## Safety Tips & Resources

Baby  
Bike  
Car  
Fire  
Firearms  
Hidden Hazards  
Home  
Pedestrian  
Poison  
School/Playground  
Sports  
Toddler  
Toy  
Water

Get Involved with a Coalition Near You!

Media Center

About SAFE KIDS

**Protecting Kids**  
from their number one killer –  
**unintentional injury**

## Bike Protecting Communities

Helmets save lives – but they also save the country money. Every dollar spent on a bike helmet saves society \$30. If 85 percent of young cyclists wore their helmets for a year, the lifetime medical cost savings could total between \$109 million and \$142 million.

Bicycle education programs and legislation are effective ways to increase helmet use and reduce bicycle-related death and injury among children covered by the law. One recent study reported that the rate of bike helmet use by children ages 14 and under was 58 percent greater in a county with a comprehensive bike helmet law than in a similar county with a less comprehensive law.

As of January 2001, 17 states, the District of Columbia and numerous localities have enacted some form of bike helmet legislation, most of which cover only young riders. Use the tool to the right to read about the laws in your state.

### What SAFE KIDS is doing:

The National SAFE KIDS Campaign has a long-standing partnership with Bell Sports to provide discounted bike helmets to families who need them. Since the Campaign's inception, SAFE KIDS coalitions have distributed over 1 million helmets. Coalitions also advocate for helmet legislation and enforcement in their communities.

Each year, Bell and SAFE KIDS coalitions host bike safety rallies across the country. These rallies, designed to increase bike safety awareness and teach the importance of riding responsibly, include bike helmet inspections, safety courses and fun activities for families.

SAFE KIDS is a member of the National Bicycle Safety Network, a coalition of public and private organizations working together to encourage safe bicycle use.

How you can help:




search our site

Support SAFE KIDS

Receive Safety Tips  
Join our E-mail List

Learn About Child Safety  
Laws & Regulations

Select a State 

Find SAFE KIDS  
coalitions and events  
near you

Select a State

*In the News . . . . .*  
Popularity of Scooters  
Leads to Dramatic Rise  
in Injuries This Year  
11/30/2000

Excite Ltd. Announces  
Recall of Scooters  
12/20/2000

Play it Safe for the  
Winter Season  
11/14/2000



111 North 6th Street  
Bismarck, ND 58501  
Telephone: 701-223-6372  
In State WATS: 800-932-8890  
Fax: 701-223-0087

February 1, 2001

Honorable Robin Weisz  
State Representative  
600 East Blvd Ave  
Bismarck, ND 58505

Dear Chairman Weisz:

The North Dakota SAFE KIDS Coalition fully support HB-1411 requiring bicycle helmets for minors as well as restraining seats for transporting children on a bicycle or cart pulled by a bicycle. SAFE KIDS is very concerned about all aspects of safety and health for our citizens. We are very excited about your efforts to initiate statewide efforts such as outlined in HB-1411.

The North Dakota SAFE KIDS Coalition is a member of the National SAFE KIDS Campaign whose goal is to reduce childhood death and disability from unintentional injury. Since 1996, SAFE KIDS has distributed nearly 3,200 bike helmets throughout North Dakota. In addition, thousands of children and parents have attended bike safety educational programs in an effort to create the awareness of bicycle safety issues.

Since the first bike helmet law was passed in California in 1996, legislatures across the country have moved to enact bike helmet legislation in 17 states and the District of Columbia. SAFE KIDS supports bike helmet laws, enforcement, educational programs, and helmet distribution programs. Since 1995, North Dakota has experienced four deaths due to bicycle related incidents. According to the National SAFE KIDS Campaign, riding without a bicycle helmet significantly increases the risk of sustaining a head injury in the event of a crash. Non-helmeted riders are 14 times more likely to be involved in a fatal crash than helmeted riders. In addition, bicycle helmets have been shown to reduce the risk of head injury by as much as 85 percent and the risk of a brain injury by as much as 88 percent. It is estimated that 75 percent of bicycle-related fatalities among children could be prevented with a bicycle helmet.

On behalf of the North Dakota SAFE KIDS Coalition, we support HB-1411. I am honored to have your assistance with promoting injury prevention which is an important component to ensure North Dakotans lead safer and healthier lives.

Sincerely,

A handwritten signature in cursive script that reads "Tammy".

Tammy Wagner  
North Dakota SAFE KIDS Coordinator



Chapter of the  
National Safety Council

North Dakota Safety Council, Inc.

***Bismarck-Mandan Safety Council, A Non-profit Corporation***

*A United Way Agency Serving The Bismarck-Mandan Communities*

February 1, 2001

Honorable Robin Weisz  
State Representative  
600 East Blvd Ave  
Bismarck, ND 58505

Dear Chairman Weisz:

The Bismarck Mandan Safety Council fully support HB-1411 requiring bicycle helmets for minors as well as restraining seats for transporting children on a bicycle or cart pulled by a bicycle. The Safety Council is concerned about all aspects of safety and health for our citizens. We are very excited about your efforts to initiate statewide efforts such as outlined in HB-1411.

The Safety Council's goal is to reduce deaths and injuries within our community. The Safety Council has implemented bike safety programs as well as distributed numerous bike helmets in Bismarck and Mandan. In addition, thousands of children and parents have attended bike safety educational programs in an effort to create the awareness of bicycle safety issues.

The Bismarck Mandan Safety Council supports bike helmet laws, enforcement, educational programs, and helmet distribution programs, related incidents. It is estimated that 75 percent of bicycle-related fatalities among children could be prevented with a bicycle helmet.

On behalf of the Bismarck Mandan Safety Council, we support HB-141 I am honored to have your assistance with promoting Injury prevention.

Sincerely,



Geneva Anderson  
Secretary

**B-MSC**

**BISMARCK-MANDAN SAFETY COUNCIL**  
BOX 1311  
BISMARCK, N.D. 58502



"DEB MCCOY"  
<DMCCOY@altru.org>

02/01/2001 06:45 PM

To: <rjensen@state.nd.us>  
cc:  
Subject: House Bill 1441

Dear Representative Jensen,

As the Regional Emergency Medical Coordinator for Altru Health System and Co-Chair of the "Don't Thump Your Melon" Bicycle Safety Helmet program in Grand Forks I write to express my support for the principles embodied in the Bicycle Safety Helmet Law (HB 1441).

I believe HB 1441, will help reduce the number of head injuries due to bicycle crashes in North Dakota and create more than an awareness of bicycle safety.

I appreciate your commitment to this critical issue.

I look forward to continuing to work with you to strengthen and clarify the Bicycle Safety Helmet Law (HB 1441 as it is considered further by the House.

Sincerely,

Deborah J, McCoy, RN, NREMT-P  
Regional EMS Coordinator  
Don't Thump Your Melon Co-Chair  
Altru Health System  
Grand Forks, ND  
701-780-1769



"DAVE ZIMMERMAN"  
<DZIMMERMAN@altru  
.org>

To: <local11099@hotmail.com>, <rjensen@state.nd.us>  
cc:  
Subject: subject: HB 1411 - bicycle helmets

02/01/2001 02:19 PM

Representative Jensen,

I was pleased to learn that you were sponsoring a bill that mandates the use of bicycle helmets for minors. I am writing this message with the intent of demonstrating my support of your efforts and of the goal of this proposed legislation. I am the Trauma Program Manager at Altru Health System, a Level II Trauma Center, in Grand Forks. My position has allowed me to evaluate the current level of bicycle helmet compliance in this city through such evidence as surveys from the Grand Forks Substance Abuse and Traffic Safety Council and SAFE Kids Coalition. Unfortunately, current poor compliance also presents itself in our trauma rooms as well.

The following national statistics paint a picture that cannot, should not be ignored:

Bike-related crashes kill 900 people every year and send about 567,000 to hospital emergency rooms with injuries

Wearing a bike helmet can reduce the risk of head injury by 85%.

Today there are an estimated 80.6 million riders, 43 percent of whom never wear helmets and 7 percent of whom wear helmets less than half the time.

Of bikers who now report wearing a helmet, 98 percent said they wore a helmet for safety reasons, 70 percent said they wore a helmet because a parent or spouse insisted on it and 44 percent said they did so because a law required it.

As with any safety issues, we always try to educate people first, hoping that this will result in behavior changes. Should the education effort not be successful, the only other option is the law. I fully support the language of this bill and your efforts to move it forward into law.

Sincerely,

David R. Zimmerman, MSA  
Trauma Program Manager  
Altru Health System  
Grand Forks, ND

**Testimony in Support of HB 1411 – Bike Helmets**  
**Carol Holzer, ND Department of Health**  
House Transportation Committee – February 2, 2001

Mr. Chairman, Representatives, my name is Carol Holzer. I am the Director of the Injury Prevention Program in the Health Department. Our agency coordinates a bike helmet education and distribution program, and we are in support of this legislation.

Please consider the following facts:

- More than 70 percent of children ages 5 to 14 ride bicycles – many on the same roads and highways as a 10,000 to 20,000 pound vehicle. Yet, we usually think of bicycles as toys.
- Head injury is the leading cause of death in bicycle crashes and the most important determinant of death and permanent disability.
- Nationally, in 1998, 203 children under age 15 died in bicycle-related crashes and nearly 362,000 were treated in hospital emergency departments.
- In North Dakota from 1995 to 1999, one child died and 345 were injured from bicycle collisions involving a motor vehicle. (ND Department of Transportation)
- A survey of 8495 North Dakota parents whose children received bike helmets through our program reported that 24 percent of their children “had been injured during the last year while riding a bike.” Of those, approximately five percent were taken to the emergency department or admitted to a hospital. Fourteen percent of the injuries were to the head, face or neck area.
- Bike helmets have been shown to reduce the risk of head injury by as much as 85 percent and the risk of brain injury by up to 88 percent.
- It is estimated that every dollar spent on bike helmets saves society \$30 in medical costs.

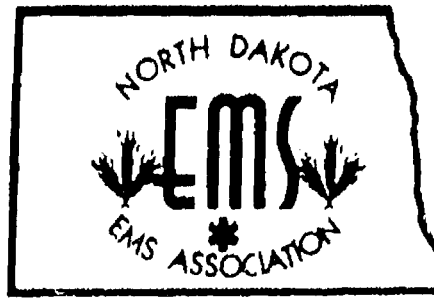
Most of us won't dispute the importance of wearing a bike helmet, but probably have questions about the need to mandate their use. Many people prefer to educate rather than legislate, but we have found that education and distribution of helmets are not enough to increase the use of bike helmets in North Dakota.

Since 1992, our department has provided over 11,000 bike helmets to local health agencies to distribute to children in their communities. Thousands more have been distributed through other organizations. However, local programs report they are not seeing large increases in the number of helmets actually being worn.

Why aren't kids wearing the helmets they have been given? As part of our program, we send a follow-up survey to parents of children who have received a helmet. Approximately 35 percent reported the child wore the helmet less than one-fourth of the time. The primary reason for non-use (62 percent) was “peer pressure.” Parents are often faced with enforcing a family policy to require helmet use or dealing with a child who is teased by friends. Many parents have told us a law would support and help enforce family policies and take the pressure off children who may be the only ones in the neighborhood whose parents require helmet use.

Our agency plans to continue to educate parents and children about the importance of wearing bike helmets and to continue distributing helmets. However, we feel our efforts would be much more effective with a helmet law.

If you have questions, I will try to respond to them.



524 Weatherby Way • Bismarck, ND 58501 • 701-258-9147

TRANSPORTATION COMMITTEE  
Testimony in Support of HB 1411

Friday, February 2, 2001  
Fort Totten Room

By: Derek Hanson, President  
ND EMS Association

The North Dakota EMS Association supports HB 1411. There is a growing number of children who are suffering serious injuries from bicycle, motorcycle, ATV, and motor vehicle injuries in this state.

In 1999, North Dakota ambulance services transported 2789 patients in the 0-18 year age group. Of those transported by ambulance, 748 of those children suffered head, face and neck injuries. But what is alarming is that only 17 of those children were wearing helmets at the time of their accident. Some of these children died needlessly.

My own son argues with me sometimes on wearing his helmet because it's not the "cool" thing to do and not all of his friends wear helmets. If everyone were required to wear helmets it would be an acceptable part of growing up.

If there is one type of call our EMS providers would rather not receive, it would be pediatric calls. These calls can become very stressful and emotional for the EMT. For the sake of our young people, it is imperative that we as knowledgeable adults help our youth by requiring helmets and restraining seats. After all, they are our future.

Thank you for your consideration and we ask for your support on HB 1411 with a "do pass".



Testimony HB 1411  
North Dakota Nurses Association  
Sharon Moos, Executive Administrator

My name is Sharon Moos, I am the Executive Administrator of the North Dakota Nurses Association and I am testifying in support of HB 1411 on behalf of the Association.

The North Dakota Nurses Association co-sponsors a head injury prevention program called "Think First" which is presented to junior high students through out the state of North Dakota. The program, which is supported by the Department of Transportation and the State Department of Health, reached over 9,000 students in North Dakota last year. While we are very proud of the Think First Program and believe it plays an important role in promoting safe behaviors and head injury prevention, it is not enough.

Persons suffering from severe head injuries endure unimaginable personal suffering as well as dramatic changes in quality of life. In addition, treatment of such injuries often involves huge medical costs which continue over the injured persons lifetime. Persons suffering a severe head injury often require 5 to 10 years of intensive rehabilitation. The cost of such care often exceeds a million dollars over the first few years and from 4-9 million over an entire lifetime. A study done in Washington found that an average of 113 million dollars was spent annually for the treatment of non-fatal bicycle related hospital admissions involving children under 14 years of age. This is an average of \$218,000 per child. Research indicates that use of a bicycle helmet decreases the chance of head injury by 69-85%.

**Prevention of head injuries through bicycle helmet use would not only be cost-effective, but could also improve the quality of life of those who suffer a life threatening accident.**

I urge a recommendation of do pass on HB 1411.



January 2001

Dear North Dakota State Legislators,

On behalf of the Grand Forks SAFE KIDS Coalition and Altru Health System, I am writing in support of House Bill 1411. As a registered nurse and the Coordinator of the Grand Forks SAFE KIDS Coalition, I have seen first hand how bicycle helmets can and do save lives and prevent serious head injury.

According to the National SAFE KIDS Campaign statistics, there were 203 children in the United States that died of bicycle-related injuries and another 362,000 that were treated in emergency rooms in 1998. It is also known that wearing a bicycle helmet can reduce head injury by as much as 85%, an astounding and successful injury prevention measure.

The number one killer and disabler of children under the age of 14 is unintentional injuries, not cancer, heart disease or other medical diseases that afflict our bodies. **The number one killer of the children in our state and across the country are things that are preventable!** We must step up our efforts to promote and enforce safety measures that will help to protect and save our next generation of children.

Helmets have become very inexpensive and there are many helmet distribution programs in place throughout the state, attempting to place helmets on the heads of children and parents riding a bicycle (and other wheeled sports models). Children purchasing bicycles, many of them very costly, should also be required to purchase and wear a helmet that will protect the most vital part of their anatomy, their heads! For those not able to afford helmets, distribution programs exist whereby children can receive the necessary safety equipment.

While many children do not think riding with a helmet is "cool", we must enforce a culture of safety amongst our children. The role of the government is to protect those that cannot protect themselves. Providing a law requiring the use of a bike helmet would not only promote safe biking habits but **WILL** prevent injuries and deaths in our state.

I urge you to support HB 1411. If I can provide you with any other information, please do not hesitate to contact me. I can be reached at 701-780-1489 or via e-mail at [chanson@altru.org](mailto:chanson@altru.org).

Sincerely,

Carma Twete-Hanson, MS, RN

Manager - Intensive Care Nursery/Pediatrics  
Altru Health System  
and  
Coordinator - Grand Forks SAFE KIDS Coalition

North Dakota Medical Association  
Testimony on HB 1411

**Bicycle Safety Helmets**

American Medical Association Policy Compendium 1999

H-10.985 Bicycle Helmets and Safety: It is the policy of the AMA (1) to actively support bicycle helmet use and encourage physicians to educate their patients about the importance of bicycle helmet use; (2) to encourage the manufacture, distribution, and utilization of safe, effective, and reasonably priced bicycle helmets; (3) to encourage the availability of helmets at the point of bicycle purchase; and (4) to develop model state/local legislation requiring the use of bicycle safety helmets, and calling for all who rent bicycles to offer the rental of bicycle safety helmets for all riders and passengers.

H-10.977 Helmets and Preventing Motorcycle-and Bicycle-Related Injuries: It is the policy of the AMA to: (1) encourage physicians to counsel their patients who ride motorized and non-motorized cycles to use approved helmets and appropriate protective clothing while cycling;... (5) prepare model state legislation for cyclists' mandatory use of helmets while cycling; and (6) advocate further research on the effectiveness of helmets and on the health outcomes of community programs that mandate their use.

H-10.987 Use of Helmets in Bicycle Safety: The AMA (1) supports appropriate efforts to educate parents and children about bicycle safety, including the use of bicycle helmets, and (2) supports working with the American Academy of Pediatrics and other appropriate organizations to ensure widespread distribution of information and educational materials about bicycle safety, including the use of bicycle helmets, to both medical and non-medical audiences.

## BICYCLE HELMETS

1/5/01

STATE	BILL NUMBER	STATUS	MANDATED BIKE HELMETS	AGES TARGETED	COMMENTS
ALABAMA	HB 68	Enacted 1995	X	< 16 years + E61 + E34	
ALASKA	SB 188	Died in Comm	If Enacted	< 16 years	
ARIZONA	HB 2546	Died in Comm	If Enacted	< 18 years of age	\$25 fine
ARKANSAS					
CALIFORNIA	AB 1019	Enacted 1986	X	< 4 yrs or under 40 lbs	\$20 fine, waived with helmet proof of purchase
	AB 2268	Enacted 1993	X	< 18 yrs	\$25 fine
COLORADO					
CONNECTICUT	SB 699	Enacted 1993	X	< 12 yrs	
	SB 597	Enacted 1997	X	< 16 yrs	Increases age to < 16 yrs
DELAWARE	HB 57	Enacted 1995	X	< 16 yrs	\$25 fine, waived with proof of helmet purchase
DISTRICT OF COLUMBIA					
FLORIDA	SB 2370	Enacted 1996	X	< 16 years under 4 years or 40 lbs required to be in a seat	\$17 fine not to be imposed until 1/1/98 waivable upon proof of purchase. Counties may opt out
GEORGIA	SB 7	Enacted 1993	X	< 16 yrs, < 1 prohibited on bikes	Children 1-4 yrs required to be in bike seat & bike rentals to children under 16 required to include helmets
HAWAII	HB 1763	Enacted 2000	X	All kids under 16	
IDAHO					
ILLINOIS					
INDIANA		Enacted 1997	Bloomington ordinance	< 18 years: kids under 40lbs/40in required to be in a bike seat	\$10 fine
IOWA	SB 153	Died in Comm	If Enacted	< 14 years of age	\$15 fine
KANSAS					
KENTUCKY	HB 428	Died in Comm	If Enacted	< 14 years of age	
LOUISIANA					
MAINE	HB 1096	Enacted 1999	X	< 16 must wear	
MARYLAND	HB 974	Enacted 1995	X	< 16 yrs	No penalties or fines
MASSACHUSETTS	SB 1658	Enacted 1993	X	< 13 yrs	Unless child is carried in enclosed trailer providing head protection < 1 yr prohibited
MICHIGAN					
MINNESOTA	SB 3004	Died in Comm	If enacted	< 18 years of age	
MISSISSIPPI					
MISSOURI					
MONTANA					
NEBRASKA					

American Academy  
of Pediatrics



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Division of State Government Affairs

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## BICYCLE HELMETS

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STATE	BILL NUMBER	STATUS	MANDATES BIKE HELMETS	AGES TARGETED	COMMENTS
NEVADA					
NEW HAMPSHIRE					
NEW JERSEY	AB 3655	Enacted 1992	X	< 14 yrs	\$25-100 fine, money to helmet discount fund and helmet education program Provision includes carrier seats and bicycle trailers
	AB 1076	In Committee	For bicycle riders		Adds bicycles to current helmet law
NEW MEXICO					
NEW YORK	AB 4905	Enacted 1989	X	1-4 yrs	\$50 fine, waived with helmet proof of purchase Under age 1 prohibited on bicycles
	SB 69-C	Enacted 1993	X	< 14 yrs	\$50 fine to parent or guardian if present when violation occurred
	SB 3245	Died in Assembly			Would provide a religious exemption
NORTH CAROLINA	HB 910	Enacted 1996			Helmet use suggested for children under 16 years old
NORTH DAKOTA					
OHIO					
OKLAHOMA	HCR 1003	Enacted 1997			suggests locales enact ordinances
OREGON	SB 1088	Enacted 1993	X	< 16 yrs	Creates the offense of endangering a bike passenger if operator allows the passenger to not wear a helmet
PENNSYLVANIA	HB 161	Enacted 1991	X	< 5 yrs	\$25 fine, waived with helmet proof of purchase
	SB 1823	Enacted 1994	X	< 12 yrs	also requires helmets for children riding in bike seats or trailers
	HB 2555	Died in Comm	If Enacted	All ages	Provides for a religious exemption
PUERTO RICO					
RHODE ISLAND	HB 5333	Enacted 1995	X	< 9 yrs	
SOUTH CAROLINA					
SOUTH DAKOTA					
TENNESSEE	HB 722	Enacted 1993	State roads only	< 12 yrs	Helmet required to rent/lease bike \$2 waived with proof of purchase
	SB 2794	Enacted 2000	X		All streets, highways, and sidewalks
TEXAS					
UTAH					
VERMONT					
VIRGINIA	HB 1513	Enacted 1993		< 15 yrs.	Permits localities to enact ordinances requiring children to wear helmets
	HB 654	Died in Comm			Changes fine to the parent instead of violator
WASHINGTON					
WEST VIRGINIA	SB 89	Enacted 1996	X	< 15 yrs	\$10 fine waived with helmet proof of purchase
WISCONSIN	SB 87	Died in Comm	If Enacted	< 18 years	Introduced in 1999
WYOMING					
TOTAL STATE LAWS			17		