



NEWS RELEASE

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Mayors break truce with bicyclists over mandatory adult helmet law with new, divisive study

While a broad coalition of bicycle groups, healthcare workers, and community leaders readied themselves to work cooperatively on a new city-sponsored Bicycle Safety Task Force scheduled to kick off this month, a handful of city leaders decided to derail the effort today by announcing a divisive hospital study aimed at promoting a mandatory bicycle helmet law.

“I smell a rat,” said Rob D’Amico, spokesperson for the League of Bicycling Voters, the organization that successfully killed an August attempt to make helmets mandatory for adult bicyclists in Austin. “Make that three rats—Mayor Will Wynn, Council Member Betty Dunkerley and Former Mayor Bruce Todd—who have taken upon themselves to support a study of bicycle-related injuries in Austin with the intent of making another run at passing a mandatory bicycle helmet law for adults.”

“The lead physician heading the study already has said he thinks the data will show that there should be a helmet law. So it’s clear that they are going into this with the intent of arming themselves with something to try and pass a law,” D’Amico said. “If the mayor was serious about studying bicycle injuries and helmet effectiveness, he would have taken this matter up for consideration at the new Bicycle Safety Task Force instead of flying solo with Bruce Todd on it and letting everyone know what they have decided to do at their press conference.”

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D'Amico said this stab in the back won't be taken lightly by bicyclists who are just now getting over the anger of the effort for a city helmet ordinance this summer. "We were very cooperative with the city council members, city staff and leaders at finding a way to channel the energy from the helmet debate into something that would be productive and promote safe bicycling in Austin," D'Amico said. "Unfortunately, it's clear that they have a one-track mind on this issue—promoting a divisive and ineffective law—instead of working with the thousands of bicyclists to do something more effective for safe riding. We're not going to let this effort be used to pass a bicycle helmet law, and we're going to press for real changes that make a difference."

Background:

The proposed law that would have made helmets mandatory for adult bicyclists was all but dead in August after scores of protesting bicyclists and other concerned citizens convinced Austin City Council members that real safety could be achieved with more education, better roads, more bicyclists and an emphasis on voluntary helmet use.

Although the council couldn't take formal action on the proposed law at an Aug. 24 public hearing—due to an agenda error and disagreement over whether any action was allowed—a majority of council members expressed opposition to the idea.

"I think the most compelling argument for council members was the fact that mandatory helmet use just doesn't work, because the rider won't buy into the benefits of a helmet, and won't wear it properly, thus negating any safety benefits it has," D'Amico said. "Also resonating with the council was the idea that a helmet law probably would discourage bicycling, and it definitely would not encourage bicycling. And they all agree that we need to do everything possible to get more bicyclists on the roads, for both environmental and health reasons."

LOBV Member Mike Librik said the proposed law was insulting to many bicyclists. "But it did provide an opportunity to educate the public on the importance of voluntary helmet use and the fact that you need to know how to fit, wear and maintain a helmet."

LOBV Member Michael Bluejay--who has long tracked bicycle-auto collisions and related injuries and fatalities on his Web site, www.bicycleaustin.info--told the council that the city needs to enforce current laws first, since numerous auto drivers have received no citations or punishment for serious traffic violations that resulted in bicyclist injuries or fatalities. And he highlighted the fact that the existing juvenile helmet law is discriminatory, since the vast majority of citations have been given to minorities in East Austin.

This is the second success for the LOBV in fighting adult helmet laws. After the City Council passed an all-ages helmet law in 1996, the LOBV formed and successfully lobbied the council to amend the ordinance, which now only applies those 17 and under.

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LOBV Member Patrick Goetz agreed that although the helmet law proposal was ill-conceived, it still provided an opportunity for younger bicyclists--who had not been involved in previous debates a decade ago—to understand the issues and get involved as bicycle activists. “We started by describing this law as a waste of energy, since it’s a distraction from real safety issues,” Goetz said. “But at least we’ve channeled some of the destructive energy into something positive—a new movement of younger riders willing to get involved in city politics.”

LOBV leaders also told city council members on Aug. 24 that instead of the ordinance change, the council should accept a resolution passed by the city’s Urban Transportation Commission calling for an 18-month, comprehensive study of bicycles safety issues. LOBV drafted specific recommendations for the study, including a laundry list of things that the city should evaluate above and beyond helmet use.

The council hearing was the climax of debate on the helmet law proposal, which originated in a request from Former Mayor Bruce Todd, who suffered serious injuries in bicycling accident on a rural road last year. Todd was wearing a helmet, believes it saved his life and has since advocated a law requiring everyone to wear a helmet. The former mayor had 17 supporters—mostly medical professionals and others who had suffered brain injuries--at the hearing to speak in favor of the law at the Aug. 24 hearing, though none, apparently, had ridden to the meeting on a bicycle. Only one person raised their hand when a speaker asked the packed audience if there were any bicyclists supporting the law.

Almost all of the LOBV supporters rode their bikes to the meeting and about 200 signed up in opposition to the law, with more than two dozens speakers.

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(Position Statement Follows)



We, the League of Bicycling Voters object to a helmet law for Austin adults because:

Helmet laws distract from real bike safety. Real bike safety involves training in safe riding skills, educating motorists about bicycling, and making the roadways themselves safer with better infrastructure. Making cyclists wear helmets will do nothing to prevent them from getting hit by cars -- unlike other measures we could take right now.

Helmet laws discourage cycling. Every community that has passed a helmet law has seen the number of cyclists dwindle. In a time of pollution, congestion, and dependence on foreign oil, the city should be doing everything it can to get people on to bicycles rather than off of them.

Personal safety should be a personal choice. If this is not true, then we should be lobbying for motorists to wear helmets, too. As for taxpayers picking up the tab when cyclists get injured, taxpayers already do this to a much larger degree for unhelmeted motorists.

Civil rights suffer with a helmet law. A helmet law gives police another reason to harass cyclists. Would you want to be stopped by the police just because you hopped on your bike to pedal a few blocks to your local store? The last time we had a helmet law countless cyclists went to jail (not just ticketed, but arrested and jailed) for failing to wear a helmet. By contrast, motorists generally don't get arrested for failing to wear a seatbelt. Also, it's been shown that the vast majority of the no-helmet tickets given to kids went to black and Hispanic kids.

Helmets are overrated. When helmet use skyrocketed in the 90's, head injuries among cyclists went up, not down. ("Head injuries rising despite bike helmets," New York Times, July 29, 2001) Countries with the most bike helmet use also have the highest rate of fatalities among cyclists, while countries with the least helmet use have the lowest rate of fatalities.

If "saving lives" is the justification, then motorists should wear helmets too. More motorists die from head injuries than do cyclists.

In the coming months, the League of Bicycling Voters intends to educate the community on why this law makes no sense and how it would discourage people from bicycling.

For more information, see www.nohelmetlaw.org