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**CITY OF SACRAMENTO**  
CALIFORNIA

February 13, 1991

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**Law and Legislation Committee**  
Sacramento, California

**SUBJECT: AB 7 (Floyd) relating to Motorcycle Helmets**

Honorable Members in Session:

**SUMMARY**

This report recommends that the Law and Legislation Committee endorse AB 7 (Floyd) relating to motorcycle helmets.

**BACKGROUND**

In February, 1989, the Law and Legislation Committee endorsed AB 8 (Floyd) which would have required all motorcyclists to wear safety helmets. Although AB 8 passed the Legislature, Governor Deukmejian vetoed the measure, stating that he believed only under age 21 riders should be required to wear safety helmets.

Assemblyman Richard E. Floyd has again introduced a motorcycle safety helmet law, AB 7. He has asked that the City of Sacramento reaffirm its support for mandatory safety helmet usage for all ages of motorcycle operators and passengers on California public streets and roadways.

Copies of recent correspondence relating to AB 7 are attached.

**FINANCIAL DATA**

Mandatory motorcycle safety helmet use is expected to reduce personal injury payments by public entities.

Re: AB 7 (Floyd) Relating to  
Motorcycle Helmets  
February 13, 1991  
Page 2

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**POLICY CONSIDERATIONS**

Support for AB 7 (Floyd) is consistent with the City's prior position supporting mandatory use of motorcycle safety helmets.

**MBE/WBE**

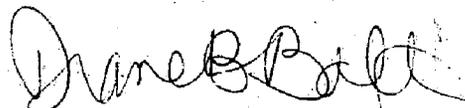
Not applicable.

**RECOMMENDATION**

It is recommended that the Law and Legislation Committee support AB 7 (Floyd) relating to motorcycle helmets, and instruct Committee Chair Lynn Robie to send letters of support to Assembly Member Floyd and Governor Wilson.

Respectfully submitted,

SHARON SIEDORF CARDENAS  
City Attorney



DIANE B. BALTER  
Deputy City Attorney

Contact Person to  
Answer Questions:

Diane B. Balter, Deputy City  
Attorney, 449-5346

Law and Legislation  
February 21, 1991  
All Districts

MEMORANDUM

DATE: January 3, 1991

TO: Lynn Robie, Chair, Law and Legislation Committee

FROM: Terry Kastanis, Councilmember, District Seven

SUBJECT: ASSEMBLY BILL 7 - MOTORCYCLE HELMETS

Please find attached a copy of a letter from Assemblyman Floyd asking the City Council to support AB 7, which is asking for mandatory helmet usage for all ages of motorcycle operators and passengers when operating a motorcycle on California public streets and roadways.

Also attached is a copy of my recent personal support letter to Assemblyman Floyd and a May 1, 1989 support letter indicating the unanimous support of the Law and Legislation Committee at its February 16, 1989 meeting.

Assemblyman Floyd is asking the City of Sacramento to support AB 7, which will be heard in the Assembly Transportation Committee toward the end of January.

TK: :b10

Enclosures

cc: The Honorable Richard E. Floyd

SACRAMENTO ADDRESS  
STATE CAPITOL  
P.O. BOX 942849  
SACRAMENTO, CA 94249-0001  
916-445-0965

DISTRICT OFFICE  
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# California Legislature



- COMMITTEES
- FINANCE AND INSURANCE
- FINANCE AND INSURANCE
- SUBCOMMITTEE ON HEALTH AND WORKER'S INSURANCE
- HUMAN SERVICES
- JOINT COMMITTEE ON PRISON CONSTRUCTION AND OPERATION
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- SELECT COMMITTEE ON HAZARDOUS MATERIALS, PIPELINE, CHEMICAL PLANT AND REFINERY SAFETY
- CHAIRMAN
- GOVERNMENTAL ORGANIZATION
- SUBCOMMITTEE ON ALCOHOL REGULATIONS
- SUBCOMMITTEE ON INDIAN AND INTERSTATE GAMBLING

December 4, 1990

RICHARD E. FLOYD  
ASSEMBLYMAN, FIFTY-THIRD DISTRICT

Mr. Terry Kastanis  
City of Sacramento  
915 I Street  
Sacramento, CA 95814

Dear Mr. Kastanis:

I have introduced Assembly Bill 7, the same motorcycle helmet measure as AB 8, for which your City Council recorded a support position last year. Unfortunately, as you know, Governor Deukmejian vetoed the previous measure primarily because he believed only under age 21 riders should be required to wear safety helmets.

The California Highway Patrol has reported that the average age of a motorcycle crash victim is 25 and that 77% of the motorcycle crash victims are over age 21. I have confidence in the belief that Governor-elect Pete Wilson will sign AB 7 into law, since he co-authored federal legislation directed to the importance of helmet usage for motorcyclists. The continued support of the City of Sacramento will be essential for me to move this measure through the Legislature again.

I anticipate that AB 7 will be heard in the Assembly Transportation Committee in January. I am requesting that your Council reaffirm its previous support for mandatory helmet usage for all ages of motorcycle operators and passengers on California public streets and roadways. Please send your affirmation of support for AB 7 to my office at your earliest convenience. If you have any questions relative to this matter, please contact me or my legislative assistant, Bob Terry, who may be reached at (916) 327-2409.

Please accept my sincere appreciation for your previous support of this important traffic safety issue. I look forward to working with your Council in gaining enactment of AB 7.

Cordially,

*R.E. Floyd*  
RICHARD E. FLOYD

*Letter of support  
Letter to City Council  
cc Floyd  
Didn't the committee already do this 2 years ago?  
M*

*1/2 UNICE*

## MOTORCYCLE HELMET FACT SHEET VALUE OF HELMETS

- \* Unhelmeted riders are three times more likely to incur fatal injury and two times more likely to incur a head injury of lesser severity than riders wearing helmets.
- \* A University of Southern California in-depth study of 900 motorcycle accidents concluded that safety helmet use was the single most important factor governing survival in motorcycle accidents.
- \* The most recent national study by the Centers for Diseases Control, Atlanta Georgia, reported that head injuries are a leading cause of death from motorcycle crashes and there is substantial evidence that motorcycle helmets are effective in reducing the incidence and severity of head injuries due to motorcycle crashes.

### SOCIAL COSTS

- \* A conservative estimate of annual California societal costs associated with brain-damaged helmetless motorcycle crash victims exceeds \$100 million. It is not unusual for a single victim to incur medical expenses in excess of \$1 million.
- \* A U.C. Davis Medical Center study reported the average hospital cost of severely injured cyclists to be \$17,705.
- \* A San Diego County Department of Health Services study of motorcycle crash victims compared hospital costs for helmeted versus unhelmeted victims. Among other findings, the hospital cost for non-helmeted patients was more than \$7 million a year, double the cost for helmeted patients.

### CAR VS. MOTORCYCLE COMPARISONS

- \* Although motorcycles represent only 3.2 percent of all the vehicles in California, motorcycle deaths account for over 13 percent of all motor-vehicle deaths.
- \* A motorcyclist is 10 times more likely to die in an accident than is an automobile passenger. More than 80 percent of all motorcycle accidents result in injury or death to the cyclist. Physicians characterize trauma in motorcycle accidents as the worst trauma they treat outside of a war combat zone.

### ACCIDENT STATISTICS

- \* CHP data for 1989 motorcycle crashes shows 620 fatalities and 19,527 injuries.
- \* The average age of California motorcycle crash victims is 25, and 77 percent of motorcycle fatalities are over the age of 21.



OFFICE OF THE  
CITY COUNCIL

TERRY KASTANIS  
COUNCILMEMBER  
DISTRICT SEVEN

CITY OF SACRAMENTO  
CALIFORNIA

CITY HALL  
ROOM 205  
915 I STREET  
SACRAMENTO, CA  
95814-2672

916-449-5060

January 3, 1991

The Honorable Richard E. Floyd  
Member of the Assembly  
State Capitol  
Sacramento, California 94249-0001

RE: ASSEMBLY BILL 7 - MOTORCYCLE HELMETS

Dear Assemblyman Floyd:

I am in full support of Assembly Bill 7 relating to mandatory helmet usage for all ages of motorcycle operators and passengers when operating a motorcycle on California public streets and roadways.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

COPY

TERRY KASTANIS  
Councilmember, District 7

TK:kf:b10

cc: Lynn Robie, Chair  
Law and Legislation Committee



# Sacramento City Council

CITY HALL  
915 I STREET  
SACRAMENTO, CALIFORNIA 95814  
PHONE (916) 449-5409

May 1, 1989

The Honorable Richard Floyd  
California State Assembly  
State Capitol, Room 3091  
Sacramento, CA 95814

Re: Support of AB 8, Motorcycle Helmets

Dear Mr. Floyd:

Please be advised that the City of Sacramento, at the February 16, 1989 meeting of its Law and Legislation Committee, voted unanimously to support AB 8, the mandatory use of motorcycle helmets.

Very truly yours,

TERRY KASTANIS, Chairman  
Law and Legislation Committee

TK/jmv

**ASSEMBLY BILL**

**No. 7**

**Introduced by Assembly Member Floyd**

**December 3, 1990**

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An act to amend Section 27803 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 7, as introduced, Floyd. Vehicles.

(1) Under existing law, a driver who is under 15 years and 6 months of age and any passenger who is under 15 years and 6 months of age are required to wear a safety helmet meeting specified requirements when riding on a motorcycle or motorized bicycle. Under existing law, it is unlawful to operate that vehicle if the driver or any passenger is not wearing a safety helmet as required, and it is unlawful to ride as a passenger thereon if the driver or any passenger is not wearing a safety helmet as required.

This bill would delete the limitation of those provisions to drivers and passengers under 15 years and 6 months of age. Since violation of these provisions would be an infraction, the bill would impose a state-mandated local program by changing the definition of a crime.

(2) Existing law states that it is the intent of the Legislature in enacting the law containing the above provisions to ensure that children are provided with an additional safety benefit while operating or riding a motorcycle or motorized bicycle, and that nothing in that law applies to a class of children or adults other than those specified therein.

This bill would recast that statement to provide that, in enacting that law, it is the intent of the Legislature to ensure that all persons are provided with an additional safety benefit while operating or riding a motorcycle or motorized bicycle.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 27803 of the Vehicle Code is  
2 amended to read:

3 27803. (a) A driver ~~who is under 15 years and six~~  
4 ~~months of age and any passenger who is under 15 years~~  
5 ~~and six months of age and any passenger~~ shall wear a  
6 safety helmet meeting requirements established  
7 pursuant to Section 27802 when riding on a motorcycle or  
8 motorized bicycle.

9 (b) It is unlawful to operate a motorcycle or motorized  
10 ~~bicycle if the driver or any passenger is not wearing a~~  
11 safety helmet as required by subdivision (a).

12 (c) It is unlawful to ride as a passenger on a motorcycle  
13 or motorized bicycle if the driver or any passenger is not  
14 wearing a safety helmet as required by subdivision (a).

15 (d) This section applies to persons who are riding on  
16 motorcycles or motorized bicycles operated on the  
17 highways.

18 (e) For the purposes of this section, "wear a safety  
19 helmet" or "wearing a safety helmet" means having a  
20 safety helmet meeting the requirements of Section 27802  
21 on the person's head that is fastened with the helmet  
22 straps and that is of a size that fits the wearing person's  
23 head securely without excessive lateral or vertical  
24 movement.

25 (f) ~~It~~ *In enacting this section*, it is the intent of the  
26 Legislature ~~in enacting this section~~, to ensure that  
27 ~~children~~ *all persons* are provided with an additional  
28 safety benefit while operating or riding a motorcycle or  
29 motorized bicycle. ~~Nothing in this section applies to a~~

1 class of children or adults other than those specified in  
2 this section.

3 SEC. 2. No reimbursement is required by this act  
4 pursuant to Section 6 of Article XIII B of the California  
5 Constitution because the only costs which may be  
6 incurred by a local agency or school district will be  
7 incurred because this act creates a new crime or  
8 infraction, changes the definition of a crime or infraction,  
9 changes the penalty for a crime or infraction, or  
10 eliminates a crime or infraction. Notwithstanding Section  
11 17580 of the Government Code, unless otherwise  
12 specified in this act, the provisions of this act shall become  
13 operative on the same date that the act takes effect  
14 pursuant to the California Constitution.