

## The Slippery Slope Isn't All That Slick

I'm a Harley rider.

Slowly and cautiously. For short distances on weekends. Actually, I'm more of a Harley *owner* than a rider.

In other words, I'm an urban cowboy Harley Guy wannabe. But I have a motorcycle driver's license and am therefore entitled to a firsthand opinion about helmet laws (or the lack thereof).

As you may know, Iowa is one of three states with no helmet laws whatsoever, including any at all for bicyclists. The other two are Illinois and New Hampshire, although NH requires helmets for bicyclists under age 16.

Like many, I'm conflicted about protecting one's legitimate right to deliberately exhibit stupid and self-destructive behavior while at the same time protecting the lives of minors who are the most likely to make unusually poor decisions. My preference is to preemptively protect them until they are adults – then they can self-destruct if they so choose.

Few people object to state laws (including Iowa's) requiring parents to make sure their children up to age 11 are properly restrained when riding in a motor vehicle. What's preventing passing a "common sense" law in Iowa that extends similar protection to minors on two wheels?

The short answer is ABATE, a nonprofit motorcycle rider's organization devoted to rider safety education and defeating helmet laws, not necessarily in that order. It almost singlehandedly killed the last minor moped helmet law vote in the Iowa legislature.

This was primarily accomplished by their Political Action Committee (PAC), which according to its web site makes "donations to the campaigns of candidates friendly to ABATE." It's highly likely that legislators accepting ABATE PAC donations won't receive another if they ever support any helmet law.

I spoke to Vicki Lensing (78<sup>th</sup> district Iowa State Representative) on this topic, and she said ABATE lobbyists stopped calling her after she made it clear to them that she couldn't support them. She all too often sees the impact (no pun intended) of the lack of helmet laws in her business – Lensing Funeral and Cremation Service.

I'm guessing that many ABATE members – and legislators – would support a minor helmet law if they could be sure that it would go no further. Unfortunately, most of them probably subscribe to the “slippery slope” theory that it would then be a short jump to a universal helmet law. I have yet to see any data to support this.

Data does support the premise that unhelmeted riders are more likely to be uninsured, and therefore a financial burden to the public (you and me) when they are hospitalized. That alone isn't enough to make me favor a universal helmet law, but it does open up an interesting possibility.

A recent study of motorcycle accident statistics in Florida showed that following the repeal of mandatory helmet laws there was a sharp increase in motorcycle accident fatalities and a healthy bump in donor organs available for transplant. Perversely, universal helmet laws reduce the number of organ donors (by saving their lives) consequently increasing the number of deaths of people waiting for transplants.

In 2003, California and New Mexico tried but failed to pass legislation that would presume assent to organ donation - rather than requiring an explicit written authorization - regarding all motorcyclists killed in accidents while not wearing a helmet. A law like this in Iowa could offset a societal cost with a societal benefit, while not trodding on anyone's right to choose. But that's probably too much to ask.

There is proposed legislation in this year's legislature (carried over from last year) requiring motorized bike operators under age 18 to wear safety helmet. The legislators I have spoken with agree it has no traction and will almost certainly not be acted on again this year. That's good news for ABATE and those of you on a transplant waiting list, not so much for kids on mopeds.

If you are so inclined, make sure your family knows you want to be an organ donor someday and let your legislators know you want a helmet law for minors. I don't believe the slope is all that slick.

*Writer's Group member Dave Parsons co-owns a business on the Coralville Strip.*