



May 27, 2021

**To members of the King County Board of Health:**

We are writing as a coalition of transportation and homeless advocates who have been examining the King County bicycle helmet law since July of last year. Thank you for your responsiveness to the concerns that we and other community members have raised about the disparate impact of the law. We are particularly grateful to King County Councilmember Kohl-Welles for introducing an amendment committing the Board of Health to review the helmet law this year, and to all the board members whose thoughtful discussion and unanimous vote resulted in adoption of the work plan amendment in February.

While the King County helmet law was implemented with the best of intentions almost three decades ago, we must recognize that its impacts have been far from equitable.

- In Seattle, nearly half of all helmet citations since 2017 were issued to people experiencing homelessness. Since 2003, Black cyclists in Seattle have received citations at a rate 3.8 times higher, Indigenous cyclists 2.2 times higher, and Hispanic/Latino cyclists 1.4 times higher than white cyclists. Differences in helmet use between populations cannot explain these disparities.
- This situation is strongly suggestive of biased enforcement by police, which raises concerns beyond those merely associated with disparate impact of the law. Elsewhere in the country, police have been found to disproportionately stop cyclists of color on a pretextual basis, that is, for the purpose of investigating for criminal activity. The helmet law has been used to effect pretextual stops in Seattle, contrary to its intended purpose.
- Minor traffic stops of those riding bikes can be traumatic, and in other cities have led to instances of inappropriate use of force against cyclists and fatal police shootings.
- We have heard stories from homeless community members and people of color, including youth, who were stopped by police for helmet violations in King County and felt harassed, singled out, frightened, intimidated, and discouraged from riding.
- As you may be aware, these concerns have led the Seattle Office of Inspector General to initiate an audit of the Seattle Police Department's helmet citation practices, which is ongoing.

Your body, the Board of Health, has declared racism a public health crisis. We call on you to act swiftly to remove the potential for inequitable impacts of the helmet law by race and housing status. We do not dispute the efficacy of helmets for individuals in crashes, but as discussed below in this letter, we believe that the totality of evidence indicates that our local helmet law offers, at best, negligible benefits for injury prevention. At the same time, the law has opened the door to biased policing and, with it, the possibility for acute harm to be inflicted on vulnerable community members.

**Based on this holistic public health view, we urge the Board of Health to fully repeal the helmet law for both adults and youth.** Additionally:

- We oppose options that would fall short of preventing dangerous police interactions and ending punitive, armed enforcement, such as reducing fines, authorizing warnings but not citations, downgrading the violation to a secondary offense, or limiting the mandate to youth only.
- If preserving the helmet mandate is regarded as essential, we ask that the current Board of Health Code Title 9 language be revised to explicitly disallow enforcement, similar to Seattle & King County Public Health's COVID-19 mask mandate.
- We recommend the addition of a clause to Title 9 that would prevent a negligent party in a crash from escaping responsibility for their own negligence by blaming a cyclist for not wearing a helmet, similar to Oregon (ORS 814.489) and New York (VAT §1238.7) state law. This would place the responsibility for injuries where it belongs, on the party responsible for the crash.
- We encourage Public Health to increase access to helmets within homeless and low-income populations by expanding existing efforts or establishing a new program to provide subsidized or free helmets at bike shops, homeless service providers and shelters, and community centers.
- We support promotion of helmet use through a renewed public education campaign, as long as such a campaign does not exaggerate the protective effects of helmet use or the risk associated with bicycling.
- We urge Seattle & King County Public Health to recognize that motor vehicles pose the greatest threat to cyclist safety, and to focus on interventions that are vastly more effective than helmet mandates at preventing injuries for bicyclists, pedestrians, and all road users, such as reduced vehicle speeds and safer infrastructure. We ask that the Board of Health commit to researching and discussing these strategies in their 2022 work plan.

**To learn about the rationale behind these recommendations, we invite you to read our Q&A companion document (<https://tinyurl.com/KC-helmet-law-rationale>),** which details the extensive research, outreach, and discussion that our coalition, the Helmet Law Working Group, has engaged in since July of last year. The following summarizes a few key points:

- Our call for repeal is consistent with opposition to mandatory helmet laws from transportation professional groups, including the National Association of City Transportation Officials (NACTO) and the Association of Pedestrian and Bicycle Professionals (APBP).
- Published meta-analyses of dozens of studies indicate that bicycle helmets reduce the risk of head injury by around 50% in hospitalization incidents. Some jurisdictions that passed helmet mandates in the 1990s saw increases in helmet use and reductions in head injuries. However, the most rigorous, relevant, and recent studies have found that **helmet mandates contribute minimally to lowering overall rates of head injuries.**
- While the available evidence on the effectiveness of the King County helmet law is limited, a study by Seattle & King County Public Health researchers found that the extension of King County's helmet law to Seattle in 2003 had minimal impact on helmet use and head injuries. This

and other evidence suggest that repeal of the helmet law would have minimal or negligible impact on injury prevention goals. We believe that the benefits of the current helmet law, if any, could be captured through other strategies for increasing helmet use and reducing collisions.

- Enactment of helmet mandates has reduced bicycle ridership in some locales, likely with negative impacts to population health, though the magnitudes of these effects are uncertain.
- We note that about one-third of King County’s population lives in cities or towns with municipal helmet laws that would be unaffected by modification or repeal of the county helmet law.
- Over 400 responses to a survey distributed by our group suggest that there is broad support in our local bicycling community for modification or repeal of the helmet law.

We thank you for your attention to this important issue and your consideration of our recommendations.

Sincerely,

The Helmet Law Working Group and additional signatories of this letter

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## Helmet Law Working Group

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*\* Titles and affiliations are for informational purposes only. Unless the organization is itself a member of the Helmet Law Working Group, members represent themselves as individuals and not the organizations they are affiliated with.*

Recommendations endorsed by:



**Other organizations:**

Whose Streets? Our Streets! Working Group

Pinehurst Greenways (Seattle, WA)

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*\* Titles and affiliations are for informational purposes only. Unless the organization is itself a member of the Helmet Law Working Group, endorsers represent themselves as individuals and not the organizations they are affiliated with.*

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*Use this form to add your name or organization to the list of endorsements:*

*<https://tinyurl.com/helmet-law-letter-endorsements>*

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