

Allegheny County Council

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Committee Meeting Minutes

Thursday, July 31, 2008

4:00 PM

4th Floor, Gold Room

Committee on Public Safety

***Jim Burn, Chair; John DeFazio, Matt Drozd, Jim Ellenbogen, Vince Gastgeb,
Chuck Martoni, and Bill Robinson - Members***

I. Call to Order

Summary: *The meeting was called to order at 4:10 p.m.*

Invited Guests:

Jim Flynn, County Manager or Designee

Summary: *Invited Guests Present: Derek Uber, Assistant County Manager*

Recognized Attendees: Lynn Wesley, Assistant Legislative Coordinator, ABATE of PA; Joe Heh, ABATE of PA Member; Malvina Scattarregua, resident of Dormont; David O. Okonkwo, MD, PhD, Assistant Professor of Neurological Surgery, Clinical Director, Brain Trauma Research Center, Acute Care Director, Center for Injury Research and Control, and Director, CNS Injury Program, University of Pittsburgh Medical Center; Karl Williams, MD, MPH, Medical Examiner, Allegheny County; John Duray, resident of Aspinwall; David Tuscel, resident of Monroeville; Paul A. Supowitz, Vice Chancellor for Governmental Relations, University of Pittsburgh; Michael DeRay; Leonard Young, ABATE of PA Member; Jim Barr; Aaron Stanford

Council Staff Present: Jared Barker; Jennifer Liptak; Stephanie Buka

II. Roll Call

Roll Call: Present: Matt Drozd, and Chair Jim Burn

Absent: John DeFazio, Jim Ellenbogen, Vince Gastgeb, Chuck Martoni, and William Robinson

III. Agenda Items**Resolution****4205-08**

A Resolution of the County of Allegheny requesting that the Governor and General Assembly of the Commonwealth of Pennsylvania re-enact a mandatory helmet law which would require motorcyclists to wear helmets in Pennsylvania.

Sponsors: Matt Drozd

Summary: *Chairman Burn welcomed the attendees. Councilman Drozd said he is concerned with saving lives, and secondly, with saving taxpayers' money.*

Ms. Wesley said she represents motorcyclists in Pennsylvania and nationwide and stated that there have been numerous instances where the helmet itself is the cause of injury and even death. She disputed the public burden theory and said motorcyclists contribute to the funds that pay healthcare costs through taxes. She added that the amount of tourism dollars that motorcyclists bring to the state is tremendous. She said the proposed legislation discriminates against motorcyclists and instead she suggested holding a motorcycle awareness and education forum.

Councilman Drozd said Representative Dan Frankel supports reinstating the helmet law and Ms. Wesley said, yes, along with 10 of his colleagues.

Mr. Heh, member of ABATE of PA, and resident of the 31st Ward of Pittsburgh

discussed helmet standards. Mr. Heh cited several studies which have shown that helmets increase the risk of neck injuries. One study he mentioned showed that helmet use can cause fatigue, and therefore, increase the risk of collisions.

Ms. Malvina Scattarregua, resident of Dormont, said wearing a helmet should be a choice, not a law.

Dr. David Okonkwo, a UPMC neurosurgeon, provided his credentials and qualifications to Chairman Burn. He stated that the Brain Trauma Research Center has been funded by the NIH since 1991 and they collect a large amount of data. Looking at the data, he found that prior to the helmet law (for a period of two years), 8% of admissions were for brain injuries incurred by motorcyclists, whereas, after the repeal of the helmet law (for a period of two years), that number doubled to 16%. Severe brain injuries of unhelmeted motorcyclists jumped from 33% to 79% after the repeal. Dr. Okonkwo said most brain injury research is conducted on the population that survives an accident, so the data doesn't include individuals that die at the scene. Dr. Okonkwo added that extensive craniofacial injuries, which are disfiguring and can lead to disability, such as blindness, are a result of being unhelmeted.

Councilman Burn asked the doctor if he was prepared to state within a reasonable degree of medical certainty whether or not helmets prevent injury and Dr. Okonkwo said that since the repeal of the helmet use law, they have seen an increase in injuries, but from a medical perspective he can't provide us with a yes or no answer to that question.

Councilman Drozd asked how many trauma centers are located in Allegheny County, and Dr. Okonkwo said there are three Level I trauma centers in the county.

Councilman Drozd asked the doctor about clients medical insurance coverage and Dr. Okonkwo said 67% of patients admitted for brain injury have their medical costs paid for by the government, either Medicaid or Medicare. He clarified that this figure is for acute care only, and not long-term care costs. Dr. Okonkwo estimated that nationwide, medical care costs to treat severe head injuries total some \$47 million dollars a year. For Pennsylvania, he estimated that the cost probably averages over \$100,000 for initial medical care.

Dr. Williams stated that fatalities decrease with the application of helmet use laws. He said there's no question statistically that helmet use laws increase helmet use and fatality rates drop. He supported the re-enactment of a mandatory helmet law. Dr. Williams said in certain scenarios a helmet cannot protect the motorcyclist, however, the helmet is still a protective device. He concluded that helmets would protect riders and prevent injuries and deaths.

Mr. Duray said helmets have never prevented a single crash. He said the Ben Roethlisberger case is a perfect example to use to educate the public, since an illegal left-hand turn was made by an individual driving a motor vehicle. Mr. Duray said Dr. Guy Catone, a facial surgeon, said wearing a helmet could have changed the mechanical forces in Ben's accident and could have made it worse.

Councilman Drozd stated that Kentucky and Louisiana both repealed their helmet law,

and saw injuries increase in both states. Mr. Duray said the Insurance Institute for Highway Safety that mentioned Kentucky and Louisiana and insurance agencies have an agenda to get motorcyclists off of the nation's highways.

Mr. Tuschel, resident of Monroeville, said he would like the discussion to focus on avoiding collisions, rather than surviving a crash. He said motorcyclists are concerned with avoiding a crash and wearing a helmet can give motorcyclists the false impression that they are now safe. He said cell phone use is a bigger problem, and CMU has been awarded some \$5 million to develop autonomous driving technology.

Mr. Supowitz said the authors of the Pitt study would be willing to brief the committee. He said their study used rates, rather than absolute numbers. Mr. Supowitz gave a summary of findings and noted that the study was subject to peer review and was motivated by a desire to promote public health.

Mr. DeRay asked the committee to work with the motorcyclists to help ensure safety.

Mr. Young cited a legislative report that was mandated by the state. This report indicated that the fatality rate remained unchanged after the law was changed, and the crash rate actually fell, while major and moderate injury rates declined.

Mr. Barr asserted that the constitutions of the U.S. and Pennsylvania are designed to protect freedom, and he stated that with freedom comes responsibility. He believes helmetless injuries are the responsibility of those that make the choice to ride without a helmet.

Mr. Stanford said he was a victim of an accident in which he was not wearing a helmet, but because his skull was split, fluid pressure did not build up and he survived.

Councilman Drozd offered a summary and said he would like to continue to explore this topic in committee. Chairman Burn suggested inviting Dr. Dixon to the next meeting and Councilman Drozd agreed.

Action: **Held in Committee**

IV. Adjournment

Summary: *The meeting adjourned at 6:02 p.m.*