

Veto No. 1998-2

SB 279

December 23, 1998

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I hereby disapprove and publicly proclaim and file with the Secretary of the Commonwealth my disapproval of Senate Bill 279, P.N. 1340.¹ This legislation creates an exception to Pennsylvania's motorcycle "helmet law." A person would not be required to wear a helmet if the person is 21 years of age or older and has been licensed to operate a motorcycle for two years or has completed a motorcycle rider safety course approved by the Department of Transportation or the Motorcycle Safety Foundation. The exception includes a passenger of the operator. The Legislative Budget and Finance Committee is required to conduct a study of the impact on medical and insurance costs resulting from this change.

The proponents of the elimination of the "helmet law" have made a strong case for its repeal and the desire of each individual to decide whether or not to wear the protective headgear. There are presently 25 states that only require certain riders, usually minors, to wear helmets, similar to Senate Bill 279. There are three states which have no helmet requirements.

While I support a repeal of the helmet law, another aspect of Senate Bill 279 is very troubling. Senate Bill 279 not only repealed the helmet law, but it also repealed the requirement that a motorcycle operator wear protective eyewear. If we repeal our protective eyewear requirement, I believe there is a much greater risk that there will be more accidents. Riders who do not wear protective eyewear will have impaired vision due to wind. There could also be additional accidents due to the impact of small stones, insects or debris hitting a rider in the eyes at high speeds. I am particularly concerned that a rider's decision not to wear eyewear could cause an accident that injures or kills another person. The compelling public debate of our helmet law focuses on the costs to society and individuals after an accident, one that likely would have occurred with or without a helmet. Repeal of our protective eyewear requirement could actually cause accidents.

It is my understanding that the exemption from the requirement that a motorcycle operator wear protective eyewear was unintended and that advocates of the helmet law repeal support restoring the eyewear requirement during the next legislative session. However, were I to sign Senate Bill 279 at this time, it would potentially be months before the General Assembly could pass another bill amending the appropriate sections of the Vehicle Code. Even if only a few motorcycle operators fail to wear the eyewear during that period, it would automatically and unnecessarily put the rest of the driving public at risk.

I am prepared to sign a bill that repeals the helmet law so long as that bill retains requirements that motorcycle operators wear protective eyewear. However, because of the risk to other drivers and their passengers which would be created by motorcycle

¹ "1414" in original.

operators who fail to use protective eyewear, I hereby disapprove Senate Bill 279 and publicly proclaim and file my objections to this legislation with the Secretary of the Commonwealth.

THOMAS J. RIDGE