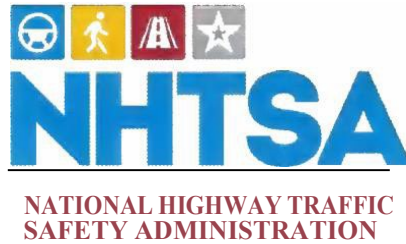


Report to Congress:
Motorcycle Safety Activities with States



Prepared by the
U.S. Department of Transportation
National Highway Traffic Safety Administration
June 2023

This report is submitted in response to a provision in the 2023 Consolidated
Appropriations Act

Executive Summary

Pursuant to the Consolidated Appropriations Act, 2023 Public Law No: 117-328, enacted December 29, 2022, the House Committee on Appropriations explanatory report¹ accompanying the bill making appropriations for the Departments of Transportation, Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2023, explained that NHTSA should “report to the House and Senate Committees on Appropriations on the extent to which the agency works with states on motorcycle passenger policies.” The Committee noted concerns that NHTSA may be conducting activities encouraging states to adopt legislation, regulation, or other policies that unjustly profile motorcycle riders. NHTSA does not do so. The agency administers two formula grant programs and additional programs to encourage safe motorcycle rider behavior, among other safe driving behaviors, on the nation’s roads.

Background

Our priority at NHTSA is to make our transportation system safe for all. Motorcyclists continue to be overrepresented in traffic-related fatalities. Per vehicle miles traveled in 2021, motorcyclists are about 24 times more likely than people in passenger cars to die in a traffic crash.² NHTSA and its other modal administration partners within the U.S. Department of Transportation (DOT) are committed to identifying effective motorcycle safety countermeasures, promoting roadway maintenance and design practices that account for motorcycle-specific safety concerns, and maintaining a research program that supports an improved motorcycle riding environment on American highways. In January 2022, DOT released the National Roadway

¹ <https://www.congress.gov/117/crpt/hrpt402/CRPT-117hrpt402.pdf>

² <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813466>

Safety Strategy (NRSS), a comprehensive approach to significantly reducing serious injuries and deaths on our nation’s highways, roads, and streets. The NRSS adopts the safe system approach and builds multiple layers of protection with safer roads, safer people, safer vehicles, safer speeds and better post-crash care.

Motorcycles are an important element of our transportation system, contributing to mobility and recreation for millions of riders in the United States. NHTSA defines the motorcycle rider as the person operating the motorcycle, and the passenger as a person seated on but not operating the motorcycle. *Motorcyclist* is a general term referring to either the rider or passenger. Research shows that motorcyclists are significantly overrepresented in traffic crashes and fatalities.

In 2021, there were 5,932 motorcyclists killed in in traffic crashes, of which 95 percent (5,636) were riders and 5 percent (296) were passengers. This is the highest number of motorcyclists killed since FARS started data collection in 1975. Additionally, an estimated 82,686 motorcyclists were injured that same year. Motorcyclists accounted for 14 percent of all traffic-related fatalities in 2021, while representing only 3 percent of the registered motor vehicle fleet.³

NHTSA Actions

NHTSA administers the Highway Safety Program and Motorcyclist Safety formula grant programs pursuant to 23 U.S.C §§ 402 and 405⁴ respectively. These grant programs encourage States to adopt and implement effective programs to reduce the number of crashes involving motorcyclists. The Federal statute does not allow States to use formula grant funds to check for

³ <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813466>

⁴ <https://www.ecfr.gov/current/title-23/chapter-III/part-1300/subpart-C/section-1300.25>

helmet use or to create motorcycle checkpoints. However, the §§ 402 and 405 grant programs encourage States and territories to use data to conduct problem identification, formulate project plans, and then adopt and implement behavioral traffic safety programs to reduce motorcyclists' fatalities and injuries. In fiscal year 2022, States spent approximately \$8.7 million in formula grant funds on motorcyclist safety programs.

Under § 402, NHTSA offers technical assistance to States as they develop and implement their State Highway Safety Plans on eligible, proven effective, or innovative behavioral safety countermeasures to reduce motorcyclists' fatalities and injuries. States are authorized to use grant funds for motorcyclist safety training and motorcyclist awareness programs⁵, including improvements to motorcyclist safety training curricula, improvements in program delivery of motorcycle training, and engaging in public awareness, which may consist of public service announcements and other outreach programs to enhance driver awareness of motorcyclists, including "Share-the-Road" safety messages.⁶

Under 23 U.S.C § 403, NHTSA conducts research and development activities, including demonstration projects, training, education, and collection and analysis of highway and motor vehicle safety data. Ongoing motorcycle safety projects include updating motorcycle safety resources, raising motorcycle safety awareness, and the development of new creative media, marketing tools, and resources focused on promoting motorcycle safety.

Additionally, NHTSA enforces Federal Motor Vehicle Safety Standard (FMVSS) no. 218, which requires motorcycle helmets to meet certain minimum performance requirements. NHTSA also encourages riders to wear personal protective gear, including a motorcycle helmet that meets or exceeds FMVSS 218. Recent data indicates that wearing a helmet that meets FMVSS 218 can

⁵ <https://www.ecfr.gov/current/title-23/chapter-III/part-1300/subpart-C/section-1300.25>

⁶ <http://www.trafficsafetymarketing.gov>

reduce the risk of fatality or head injury involving a motorcyclist during a crash. NHTSA estimates that DOT compliant helmets saved the lives of 1,872 motorcyclists in 2017. NHTSA further estimates that an additional 749 lives could have been saved in 2017 if all motorcyclists had worn DOT compliant helmets.⁷

NHTSA is dedicated to promoting safe behaviors of motorcyclists and other motorists, as spelled out in its Motorcycle Safety 5-Year Plan⁸. The strategic plan addresses traffic safety data needs and efforts to improve the Agency's support of State activities.

Conclusion

In summary, NHTSA's motorcyclist safety program encompasses both riders and passengers. NHTSA has a robust motorcyclist safety research and program development portfolio that includes work on problem identification, crash risk, examining impairment, education, and evaluating laws and local programs. NHTSA's formula grant programs encourage States to develop and implement their behavioral traffic safety programs to address motorcycle safety.

⁷ National Center for Statistics and Analysis. (2019, December). [Lives and costs saved by motorcycle helmets, 2017](#) (Traffic Safety Facts Crash Stats Report No. DOT HS 812 867). Washington, DC. National Highway Traffic Safety Administration

⁸ [Motorcycle Safety Five-Year Plan \(nhtsa.gov\)](#)