



RIDE SMART FLORIDA

Update to Florida Motorcycle Insurance Statute

PROBLEM: Language in Florida Statutes regulating insurance coverage of motorcycle operators riding without a helmet is vague and difficult for law enforcement to confirm adequate coverage. Currently, the required amount is inadequate. [316.211 Equipment for motorcycle and moped riders.](#)

BACKGROUND: In 2000, Florida amended its motorcycle helmet law to allow operators to ride without a helmet if they were at least age 21 and carried at least \$10,000 in “medical benefits.” The definition of “medical benefits” can mean many things, and law enforcement often is unable to determine if a rider has adequate coverage as intended by the statute. Moreover, 19 years after the statute amendment, the required \$10,000 is economically insufficient ([Ulmer & Northrup, 2005](#)). The ambiguous language of the current statute, combined with the inadequate coverage amount means that many riders today are financially deficient, having insufficient or no medical insurance, and results in medical providers—and taxpayers—absorbing the costs.

SOLUTION: Motorcycle riders who choose to ride without a helmet should have more financial responsibility. The section of the statute that says “medical benefits” should be rewritten to read “medical payments on your motorcycle insurance.” This would allow law enforcement to confirm adequate coverage by checking a rider’s motorcycle insurance ID card. Additionally, the required medical coverage amount should be increased to \$20,000 to account for current costs, the same as has been done by other states with optional helmet laws, such as Michigan. We also propose amending the current statute by removing Section 316.211(3)(a), which excludes users of mopeds and scooters under 50cc from helmet requirements. This change will ensure that moped and scooter users have the same rights and protections as motorcyclists.

CALL TO ACTION AND SUPPORT: Riding instructors, law enforcement, doctors, and medical associations along with insurance industry support this call to action.



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Evaluation of the Repeal of the All-Rider Motorcycle Helmet Law in Florida [Abstract]

Effective July 1, 2000, Florida eliminated the legal requirement that all motorcycle riders wear helmets. State law now requires helmet use only by riders under the age of 21, or older riders who do not carry at least \$10,000 of medical insurance. Observational surveys and crash reports indicated that helmet use dropped substantially following the law change. Motorcyclist fatalities increased by 81% comparing 2001-2003 to 1997-1999, compared to +48% nationally. Non-fatal serious injuries began increasing in the first six months of 2000 and increased by 32% in the first year following law repeal. There was a 40% increase in the number of injured motorcyclists who were admitted to hospitals. Admissions for head injuries increased by 82%. **The average head injury treatment cost increased by almost \$10,000 to \$45,602.** In 1998 and 1999, the acute care hospital charges for head-brain-skull principal injury cases per 10,000 registered motorcycles were \$311,549 and \$428,347, respectively. The comparable figures for 2001 and 2002 were \$605,854 and \$610,386, adjusted for inflation. Time series analysis showed a statistically significant increase in fatalities while controlling for changes in motorcycle registrations. Similar analyses also showed significant increases for Kentucky, Louisiana and Texas. Florida crash reports also indicated that helmet use declined markedly among riders under age 21, who were still covered by the law. Fatalities in this age group nearly tripled in the three years after the law change. Comparing the 30 months before and after the law change, there was an increase of 55% in the average annual number of motorcyclists killed (181 to 280, respectively). Registrations increased an average 33.7% in this time period. Some of the increases in fatalities and other injuries in Florida were probably due to this increased ridership. The expected number of motorcycle fatalities as a result of the increase in registrations was 242. The actual number who died in 2002 was 301, 56 (+24%) more motorcycle fatalities than expected as a result of increased registrations alone. Nationally in 2001 and 2002, motorcycle miles of travel declined compared to earlier years. Given the large registration increase in Florida, it is unlikely that this national pattern held in the State.

Record URL:

<http://www.nhtsa.dot.gov/people/injury/pedbimot/motorcycle/FlaMCReport/pages/Index.htm>

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Table 4: Economic and Comprehensive Costs Saved by Helmet Use and Savable by 100-Percent Helmet Use, by State, 2016

State	*Economic Costs Saved	*Additional Economic Costs Savable at 100% Use	**Comprehensive Costs Saved	**Additional Comprehensive Costs Savable at 100% Use
Alabama	\$85,433,642	\$5,911,687	\$518,938,244	\$36,002,510
Alaska	\$4,836,539	\$1,643,970	\$29,205,382	\$10,001,048
Arizona	\$53,132,917	\$56,416,893	\$321,459,053	\$342,669,036
Arkansas	\$20,706,464	\$33,419,799	\$125,744,162	\$203,675,730
California	\$611,195,792	\$19,456,716	\$3,699,565,890	\$118,200,485
Colorado	\$48,952,487	\$61,182,082	\$298,486,455	\$373,812,309
Connecticut	\$20,807,613	\$33,770,552	\$127,111,596	\$206,935,061
Delaware	\$10,495,355	\$3,014,163	\$63,812,851	\$18,367,223
District of Columbia	\$10,840,324	\$0	\$66,568,275	\$0
Florida	\$310,124,711	\$198,460,380	\$1,886,055,670	\$1,211,335,704
Georgia	\$155,498,286	\$5,897,415	\$944,050,507	\$35,917,498
Hawaii	\$10,294,756	\$11,220,775	\$61,684,535	\$67,542,438
Idaho	\$6,451,751	\$8,430,660	\$39,002,161	\$51,187,025
Illinois	\$43,749,574	\$86,929,206	\$266,983,331	\$532,267,082
Indiana	\$23,761,904	\$46,811,614	\$144,256,537	\$285,303,779
Iowa	\$13,346,924	\$31,239,172	\$81,298,474	\$190,851,127
Kansas	\$22,702,836	\$20,906,623	\$138,551,377	\$127,913,362
Kentucky	\$31,327,129	\$41,949,296	\$190,036,254	\$255,386,918
Louisiana	\$85,120,952	\$7,546,860	\$518,241,016	\$46,061,960
Maine	\$6,111,903	\$7,969,775	\$36,918,609	\$48,330,078
Maryland	\$82,873,117	\$9,322,142	\$505,363,930	\$56,988,918
Massachusetts	\$54,410,246	\$1,845,913	\$332,426,224	\$11,303,087
Michigan	\$65,270,201	\$52,328,684	\$396,804,412	\$319,103,022
Minnesota	\$20,609,658	\$28,330,576	\$125,569,082	\$173,247,245
Mississippi	\$36,095,466	\$4,216,254	\$218,334,526	\$25,593,362
Missouri	\$110,740,486	\$10,111,217	\$673,765,383	\$61,742,945
Montana	\$4,787,381	\$6,861,217	\$28,981,168	\$41,691,414
Nebraska	\$15,556,400	\$3,497,658	\$94,955,641	\$21,400,433
Nevada	\$61,519,707	\$8,133,392	\$372,931,291	\$49,474,755
New Hampshire	\$12,927,117	\$6,248,490	\$78,546,939	\$38,162,305
New Jersey	\$90,993,740	\$2,764,886	\$554,367,972	\$16,894,176
New Mexico	\$23,387,885	\$13,277,031	\$141,691,469	\$80,670,540
New York	\$165,013,357	\$8,091,298	\$999,401,622	\$49,158,730
North Carolina	\$165,545,029	\$8,865,220	\$1,003,914,495	\$53,922,277
North Dakota	\$2,147,078	\$6,978,186	\$13,073,055	\$42,629,353
Ohio	\$52,583,069	\$92,846,029	\$319,887,020	\$566,400,050
Oklahoma	\$23,259,512	\$40,719,555	\$141,449,063	\$248,655,682
Oregon	\$51,796,034	\$2,183,283	\$313,068,464	\$13,270,130
Pennsylvania	\$99,535,826	\$71,870,757	\$606,097,596	\$438,993,044
Rhode Island	\$0	\$2,985,217	\$0	\$18,151,854
South Carolina	\$47,499,558	\$78,939,319	\$287,418,218	\$479,359,049
South Dakota	\$6,524,491	\$10,635,149	\$39,649,015	\$64,880,969
Tennessee	\$127,290,496	\$8,161,462	\$774,129,291	\$49,841,798
Texas	\$228,293,623	\$185,157,750	\$1,392,151,541	\$1,132,981,365
Utah	\$16,837,036	\$12,751,626	\$101,966,597	\$77,488,371
Vermont	\$9,954,625	\$1,417,612	\$60,330,072	\$8,611,590
Virginia	\$87,913,643	\$3,037,972	\$537,006,565	\$18,611,409
Washington	\$90,841,161	\$2,320,496	\$552,835,697	\$14,163,026
West Virginia	\$16,803,394	\$5,910,303	\$101,677,232	\$35,973,560
Wisconsin	\$18,286,468	\$45,361,789	\$111,148,715	\$276,626,195
Wyoming	\$10,110,672	\$13,013,874	\$61,947,885	\$79,921,328
National	\$3,397,915,704	\$1,511,716,712	\$20,691,183,517	\$9,236,411,919

*Economic costs include lost productivity, medical costs, legal and court costs, emergency service costs (EMS), insurance administration costs, congestion costs, property damage, and workplace losses.

**Comprehensive costs include economic costs plus valuation for lost quality of life.

Cost data from *The Economic and Societal Impact of Motor Vehicle Crashes, 2010 (Revised)*; DOT HS 812 013, May 2015.

State costs are adjusted for relative per-capita income; dollar amounts for the Nation will not equal the sum of the States.

Sources: FARS 2016 Annual Report File; Bureau of Labor Statistics; Blincoe et al., 2015.

Shaded States are those with laws requiring helmet use for all motorcyclists, at the time of publication.



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Motorcycle Traffic Crash Summary Statistics in Florida, 2017:

The median age of motorcyclists fatally injured in Florida.	38 years
The percent of motorcyclist fatalities related to traumatic brain injuries.	28%
The percent of motorcyclists fatally injured in Florida who are Florida residents.	92%
The number of non-fatal hospitalizations for every motorcyclist fatality.	7
The number of non-fatal ED visits for every motorcyclist fatality.	18
The percent of motorcyclist hospitalizations and ED visits not covered by commercial insurance.	54%
The median hospital charge for motorcyclists treated and released from a Florida ED for treatment of traffic crash injuries.	\$6,268.50
The median hospital charge for motorcyclists admitted to a Florida hospital for the treatment of traffic crash injuries.	\$96,012.00
The total hospital charges for motorcyclists treated in a Florida ED or hospital that were injured in a traffic crash.	\$814,922,469.00

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