



Ankin Law Office LLC

Protecting the Rights of Injured Workers

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Illinois—In the Minority On Helmet Laws

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It's a contentious issue for many bikers—whether states should be able to require motorcyclists to wear helmets. For them, it's an issue of personal choice and freedom. But there are many other interests at stake. For insurers, it's an issue of money and for the states regulating helmet use, it's an issue of public safety.

More than half of the states have some form of mandatory helmet requirement, as explained in this [FOX-business article](#), and motorcyclists required to wear helmets aren't happy about it:

Twenty states and the District of Columbia require all riders to wear helmets, with 27 states requiring them for some cyclists, usually those 17 or younger (here's a [state by state breakdown](#), courtesy of the [Insurance Institute for Highway Safety](#))...

Most have been around for decades and maintain one principle: No government or agency has the right to dictate safety gear. "The very nature of riding a motorcycle is a feeling of freedom," Paul Williams of the Helena, Mont., ABATE chapter told [USA Today](#). "People who ride motorcycles tend to be a lot more sensitive about losing their freedoms.

Disgruntled bikers regularly hold protests in opposition to the helmet laws and during a recent protest this summer in Upstate New York, a rider participating lost control of his bike and was thrown over the handle bars. He later died and, according to doctors, would have survived had he been wearing a helmet, as explained in this [Syracuse.com article](#):

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State police said he would have survived had he been wearing a helmet, a conclusion they said was reached by the doctor at SUNY Upstate who pronounced Contos dead.

The cause of death was “blunt force injuries of the head and chest, “ according to the Onondaga County Medical Examiner’s Office, based on an external examination with X-rays.

Only three states have not enacted any helmet law regulation: Illinois, New Hampshire and Iowa. So, for now, Illinois motorcyclists are free to ride without helmets. For them, it’s a matter of assessing the risks, which include the possibility of serious or fatal head injuries if involved in an accident, and then deciding for themselves whether the sense of freedom is worth the very real risk of serious personal injury.

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