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MOTORCYCLE HELMETS

According to figures brought out by the Ministry of Transport of Vietnam in July, 2007, the number of motorcycles circulating in Vietnam is 20.2 million. This means that on average across the whole country, one out of every 2.7 inhabitants from 15 to 64 years old uses a motorbike. From 1991 to 2007, the number of motorcycles nationwide has increased by an average of 17.5% per year. This has come about as the result of increasing incomes and the pace of economic growth alongside marked decreases in the prices of motorcycles due to trade liberalization and the continuing absence of an efficient public transportation system (See exhibit 1).

Together with the dizzying rate of mechanization of two-wheeled means of transport, statistics concerning the number of deaths and injuries from traffic accidents appear daily in the media. Every year there are about 30,000 cases of people with serious brain damage related to traffic accidents.[1] In 2006, Vietnam saw 12,373 deaths due to road traffic accidents; an average of 34 deaths every day.[2] Specifically in the first 6 months of 2007, deaths from road traffic accidents reached 6,910; an increase of 7.2% compared with the same time last year.[3] Appendices 2, 3 and 4 show data on the number of deaths from road traffic accidents in Vietnam in recent years. Exhibit 5 compares the ratio of deaths from road traffic accidents in Vietnam with some other countries in the world.

According to the Committee of National Traffic Safety, 70% of traffic accidents in Vietnam related to motorcycles (see exhibit 4). According to the World Health Organization, the probability of death for motorcycle riders is 27 times and that of injury is 6 times higher than for car drivers.[4] Of those suffering brain damage from accidents, only 1.4% were wearing helmets and of those dying almost 100% did not wear helmets.[5,6,7]

In a study in 2004, the Asia Development Bank (ADB) estimated the economic cost of road traffic accidents in Vietnam based on calculations incorporating damage to persons, loss of production, medical costs, asset loss and administrative costs. According to this calculation, in 2002 (when the number of traffic accidents and deaths peaked) the economic loss from road traffic accidents was 2.72% of GDP, equivalent to US$954 million.[8]

Having reached a peak in 2002, the number of traffic accidents decreased over the following two years. However, 2005, 2006 and the first months of 2007 have witnessed a resurgence in the number of traffic accidents as well as deaths and injuries. Faced with this situation, at the end of June,

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English translation by Le Viet Anh, Andy Richardson

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2007, the Vietnamese government issued resolution 32/2007/NQ-CP on some urgent solutions to restrain the numbers of traffic accidents and traffic jams, including stipulations making the wearing of helmets mandatory. Specifically, from September 15, 2007, motorcycle riders in Vietnam will be required to wear helmets on highways. In mid-December of 2007 this stipulation will be implemented for all routes nationwide.

The Transport Minister Ho Nghia Dung said that extending the mandatory wearing of helmets in accordance with resolution 32 will limit the rates of death and injury from traffic accidents.

Ho Chi Minh city and Hanoi, two cities with the highest number of motorcycles in the country, are under the most pressure to carry out resolution 32 of the Government. From July 15, the Hanoi traffic police (CSGT) will start to control the helmet wearing of motorcycle riders on fixed routes and will consider fine increases and confiscation of the driving license or the motorcycle.[9]

In Ho Chi Minh city, the Chairman of the People's Committee, in a July 16 instruction on solutions reducing the number of traffic accidents, required the traffic police, in addition to imposing a fine, to require "motorcycle riders to turn around and not allow them to continue if they are not wearing helmets when they join routes designated as routes where helmets have to be worn when riding motorcycles."[10] This document also instructs the Department of Culture and Information to step up the propaganda campaign on traffic safety "in a variety of different lively ways with the main point being to encourage people to observe the traffic law strictly and in particular, to wear helmets when riding motorcycles."[11]

Ho Chi Minh City has a program encouraging exemplary government organizations and public associations in implementing the helmet regulations. The director of the Transportation and Civil Engineering Department of Ho Chi Minh City, Tran Quang Phuong, suggested that the city leaders should instruct the heads of the departments and sections of the city and the chairmen of the district people's committees to issue written instructions requiring all cadres and civil servants of their organizations to wear helmets when riding motorbikes.

Experiences of traffic safety around the world support the view that there should be regulations making the wearing of helmets mandatory when riding motorcycles. If a motorcycle rider crashes into a car or an obstacle at a speed of 50km/hour and his head hits directly there is no kind of helmet that can reduce the risk of death or injury. However, practical studies show that speeds at the time of impact are often lower than riding speeds. According to health and safety standards, helmets protect motorcycle riders very efficiently at collision speeds of 20-30km/h.[12]

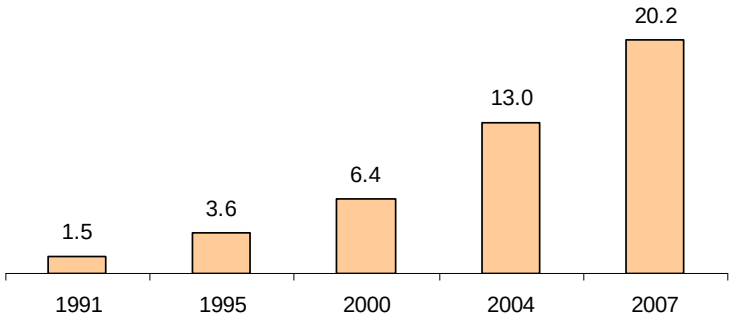
Research in the United States shows that the promulgation and implementation of legislation requiring the wearing of helmets helps reduce the incidence of brain damage and death. For example, after legislation was passed enforcing the wearing of motorcycle helmets across the whole state of Texas, the rates of death and injury from road traffic accidents fell by 52-59%.[13] On the flipside, following Florida's repeal of its helmet laws, rates of death and injury from road traffic accidents increased by 17.2-20.5% (Exhibit 6).[14] In Italy, after the application of a blanket law on wearing motorcycle helmets in 2000, the number of motorcyclists requiring hospitalization because of brain damage caused by motorcycle accidents decreased by 31%.[15] In Thailand, with a similar number of motorcycles to Vietnam, helmet legislation was enacted in 1996. In the first year of implementation,

the rate of helmet use increased to over 90%, and the rates of brain damage and death of motorcyclists decreased by 40% and 24% respectively.[16]

In Vietnam, more and more voices support the helmet legislation (exhibit 7). However, after Resolution 32 was officially promulgated and the People's Committee of Ho Chi Minh City and Hanoi urgently expanded the measurement of traffic safety in the spirit of this Decision, the newspapers in Vietnam immediately published a series of reactions from sections of society revealing their doubts regarding the mandatory wearing of helmets on all routes as well as its feasibility in the specific context of Vietnam. The roads are crowded, speeds are slow, helmets narrow vision and restrict hearing, the weather is hot and it is hard to find places to put helmets. All these are reasons for rejecting the obligation to wear helmets on all routes, including urban areas. The inadequacy of possible sanctions and the lack of control of helmet quality are reasons to doubt the feasibility of the stipulation. (See exhibit 8).

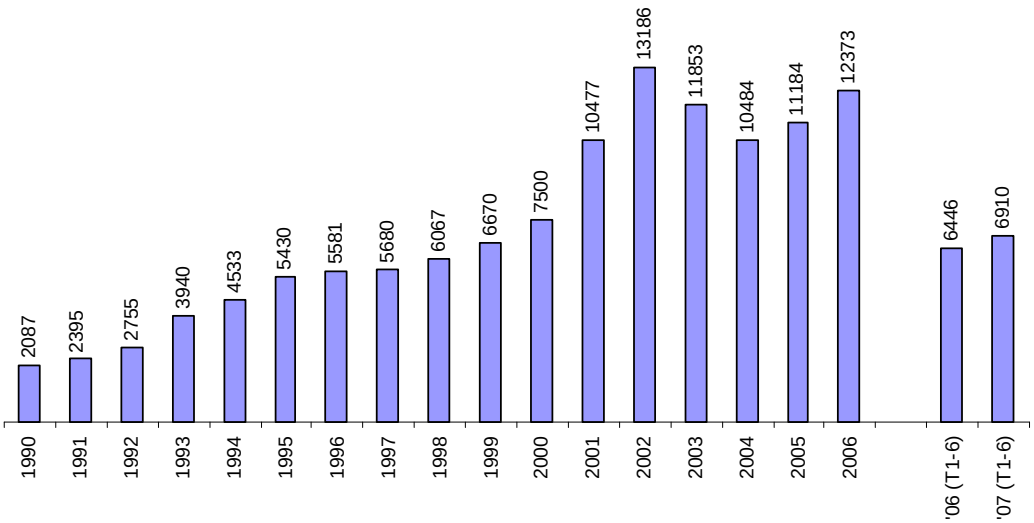
While the motorcyle helmet continues to be an exciting topic in newspapers, road traffic regulatory agencies in Ha Noi and Ho Chi Minh City are pondering ways to enforce the new regulation and meet the deadline imposed by the central government.

Exhibit 1: Number of motorcycles circulating in Vietnam



Source: Ministry of Transportation, The Committee of National Traffic Safety.

Exhibit 2: The number of deaths caused by road traffic accidents in Vietnam



Source: Ministry of Transportation, The Committee of National Traffic Safety and Ministry of Public Health, Website on the prevention of accidents and injury.

Exhibit 3: Agents causing road traffic accidents in 2003

Objects	Percentage %
Car drivers	23.3
Motorcyclists	69.3
Others	8.4

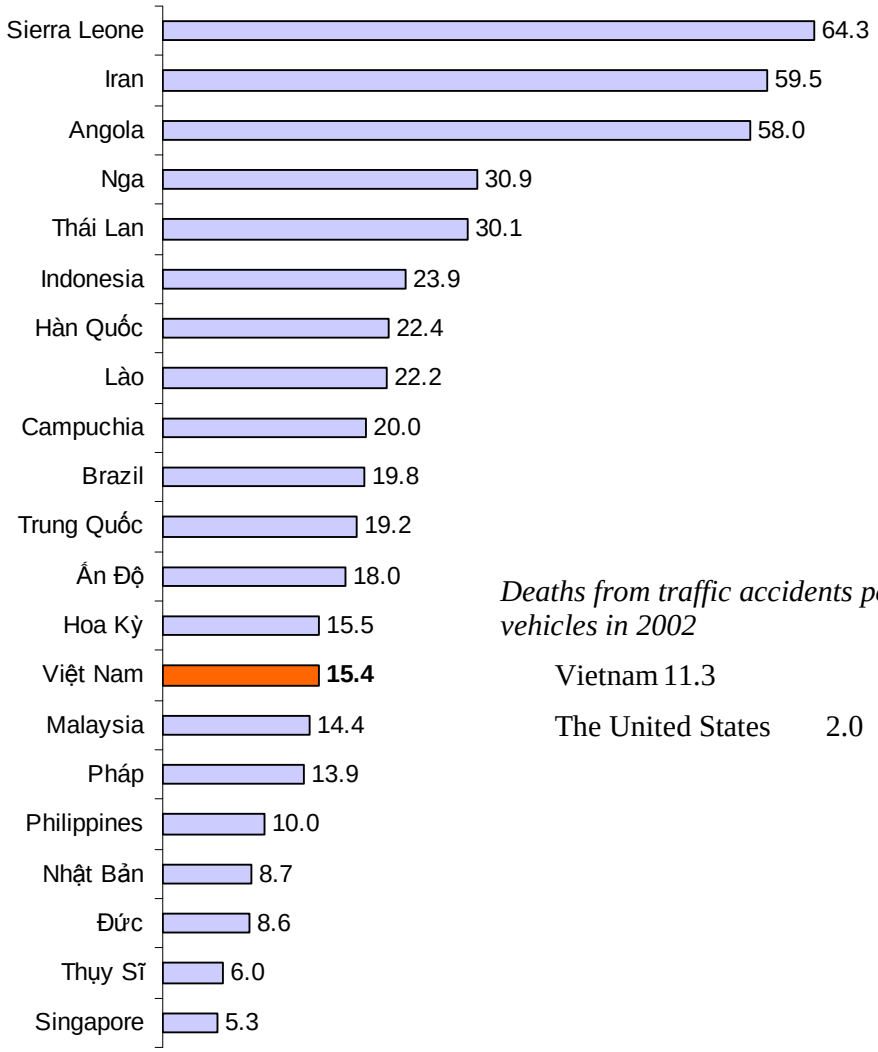
Source: The Committee of National Traffic Safety

Exhibit 4: Locations of road traffic accidents in 2003

Locations	Percentage %
National roads	46.9
Provincial roads	13.9
Urban roads	29.8
Other roads	9.5

Source: The Committee of National Traffic Safety

Exhibit 5: The deaths from road traffic accidents per 100,000 people, Vietnam and some countries in the world, in 2002



Source: WHO data.

Exhibit 6: Helmet laws: the effect of repeal

World Health Organization, "Helmets: a road safety manual for decision makers and practitioners", 2006, page 21.

In the United States, the enactment of motorcycle helmet laws is under the jurisdiction of individual states, and has been the subject of ongoing debate on the balance between personal freedom and public health. Those opposed to mandatory helmet laws argue that such laws infringe upon their individual rights. On the other hand, those who support them argue that since society bears the burden of the financial costs of motorcycle crashes, there is a public interest in – and a justification for legislating for helmet use. Over the years, states have variously enacted, repealed, and re-enacted "universal" motorcycle helmet laws – laws applying to all riders of motorcycles.

In 1996, a federal policy tying motorcycle helmet laws to the receipt of government funding led to 47 states enacting universal helmet laws. After this policy was withdrawn the following year, though, many states quickly repealed their helmet laws, or amended them so that they applied only to young riders.

The consequences of these repeals of helmet laws have been as follows:

Observed helmet use in a number of states dropped from nearly full compliance while the law existed, to around 50% after repeal.

In several states, there were immediate and dramatic increases in the numbers of motorcyclists without helmets who were involved in crashes.

Deaths of riders under the age of 21 increased even though the law still applies to these users In Florida; deaths to these young riders increased by 188 percent.

Increases were recorded in head injuries and fatalities among motorcycle users. For example, the rate of motorcyclist fatalities rose by 37% and 75% in Kentucky and Louisiana, respectively, following the repeal of their mandatory laws.

Associated with the increase in severity of head injuries was an increase in the costs of treating them. For example, in Florida the total gross acute care costs charged to hospital-admitted motorcyclists with head, brain or skull injuries more than doubled, from US$ 21 million to US$ 41 million, adjusted for inflation. The average costs per case rose from US$ 34,518 to US$ 39,877 in the 30 months after the law change.

The pattern of evidence from the states that have altered their laws on helmet use indicates that motorcycle helmets reduce the severity of injuries incurred in a crash; that the repeal of helmet laws decreases helmet use; and that states that repeal universal helmet laws experience an increase in motorcycle fatalities and injuries

Exhibit 7: Tuoi Tre newspaper, "Wearing helmets: Why not?", 6/7/2007

In my opinion, wearing a helmet when circulating on national highways or on the roads in urban areas is necessary. The government should act strictly and decisively. At present road traffic accidents involving motorcyclists and resulting in brain injury are very common and are a burden for both family and society.

As I know, the cost of a brain injury is a lot, quite apart from the harm to the health and spirit of the victim and family which lasts for months and years.

In short, it is essential to wear helmets on the streets in urban areas to prevent head injuries from falls following a collision.

NGUYEN TUAN ĐAN (tuandan_lov@...)

I completely agree with the wearing of helmets when riding in both suburban and urban areas. People may feel uneasy at first because they are not used to it, but after a while they will get used to it.

Besides protecting people's lives on the roads, I think that helmet legislation is a measure that will help reduce the number of people (mostly teenagers) who ride motorcycles without purpose on the streets.

LE CHAU (lehoaichau2002@...)

Wearing helmets when on the road is to protect our safety and that of others. It is also a sign of civilization, respecting the safety of others' lives. Yet there are still many people quibbling that the regulation making it mandatory for motorcycle users to wear helmets on every route is unreasonable or unfeasible.

Why is it unreasonable to wear a helmet to protect our lives? If there are still those who try to violate the law I agree with Senior Lieutenant Colonel Than Minh Khuya's suggestion to increase the fine from between 20,000 and 40,000 dong up to 200,000 dong/violation, and not to confiscate the motorcycle for three days (Tuoi Tre dated July 5th, 2007). This is because retaining the motorcycle brings along many problems such as the need for motorcycle parking lots and the means to transport the motorbikes. This causes slowness in resolving violations.

TRAN VAN TU (tieuminhth@...)

The government's stipulation that motorcycle riders have to wear helmets on all routes is to avoid unjust deaths. In reality there are a lot of deaths because people do not wear helmets when riding on the streets.

There are many opinions at variance with the regulations requiring helmets to be worn in urban areas. In my opinion, it is necessary and there is nothing difficult or

obstructive about it. Instead of the habit of wearing cloth hats or going bare-headed we should get used to wearing helmets for safety.

However, if this legislation is put into effect the traffic police have to implement it to the end, strictly dealing with those flouting the regulations. If the traffic police do not deal with violators strictly, this regulation will not be as efficient as it might be.

NGON LUAN (ngonluan2007@...)

Exhibit 8: Tuoi Tre newspaper, "Should people be made to wear helmets in urban areas?" and "Problems with the helmet laws in urban areas," dated July 4th, 2007

In Ho Chi Minh city, the average traffic speed is below 20km/hour so is requiring people to wear helmets on the city streets feasible? This issue requires careful consideration. We should not have rigid regulations giving rise to a helmet buying fever as happened before.

At the same time, I also want to say that wearing a helmet is necessary, but it is only effective in protecting people's lives when an accident occurs and not in reducing the number of traffic accidents. The number of traffic accidents will only come down when people make a conscious effort to obey the traffic law.

TRAN QUOC VIET (khacnghiem2004@...)

The reality is that the streets in the Ho Chi Minh City urban area are very crowded at peak times […] Under these conditions, if everyone wears a helmet motorcyclists will not be able to see both sides clearly enough to control their motorcycles safely. On the streets, buses and taxis often violate the traffic laws by driving too fast, hogging the road, passing carelessly, driving in parallel and so on. If motorcyclists wear helmets they will not be able to react in time to these "evils."

NGUYEN VAN SON (ydo2camphuong@...)

When I wear a helmet I cannot hear the whistle and it is difficult to move. When I go somewhere, having to take the helmet along is inconvenient. I do not know where to put it or whether to bring it along when I go to meet customers.

DUONG QUYNH ANH

In the urban area traffic jams are frequent, especially at noon when it is hot. How can people bear to wear a helmet at such times?

DO QUAN HIEU

If regulations are applied requiring everyone to wear a helmet at the time mentioned it will be difficult to make it work, as the traffic police do not have enough staff to cope. Moreover, if cases are settled en masse there will not be enough space to keep the large number of confiscated motorcycles. I think that a preliminary review of the routes

already designated under the helmet law is necessary. If implementation has reached 70-80% other roads can follow. In other words the program should be rolled out gradually.

Traffic police expert in HCMC

Has the government and other agencies carefully researched the penalties for not wearing a helmet so that people will make a conscious effort to observe the law and not try to get around it by finding minor roads to go on?

An inhabitant of Trung Dung ward, Bien Hoa, Dong Nai province

Helmets for rent can be seen on many roads. Whenever traffic police check motorcyclists are wearing helmets, a helmet rental service springs up and the "middlemen" of this service blockade the two ends of the road where the traffic police are checking.

Helmet checks only happen at key points on the road, and some roads are checked whereas others are not, so motorcyclists only rent a helmet as being cheaper and more convenient than buying one! In this case wearing helmet is a way to cope with the police rather than with accidents.

VU VIET GIANG

One worry is helmet quality. Does the helmet ensure the wearer's safety? Which organization is responsible for inspecting the quality of helmets on the market? If a motorcycle user is wearing a helmet, and yet still sustains brain damage from an accident, who will be responsible, or will it just be "money down the drain?"

VIET THUONG

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