



The Stouffer Report: *Can Freedom and Safety Live Together?*

A Senate bill that made it to the governor’s desk for his signature has been receiving a lot of attention over the past few weeks. At issue is the question of safety versus individual liberty and choice.

The General Assembly sent [Senate Bill 202](#) to the governor on April 29. The proposal simply modifies the law regarding the operation of a motorcycle and takes away some of the burden on a motorcycle rider if he or she gets into a wreck. A lot of times, the person on the motorcycle is blamed in an accident, instead of the other driver or drivers. Insurance adjusters and others sometimes place a percentage of the blame on the motorcycle operator after an accident, even if this person had nothing to do with the crash happening.

However, it is not this part of Senate Bill 202 that has people talking. It is an amendment to the bill that has caught all of the headlines, because it would let folks 21 or over ride a motorcycle without a helmet except when riding on an interstate highway.

Making changes to Missouri’s helmet law has been talked about by varying lawmakers for several years. The [Missouri Head Injury Advisory Council](#) has worked very hard to keep this law from being overturned. Admittedly, I cannot argue with their reasons for wanting to keep the helmet law intact.

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According to [MoDOT's](#) website, changing the motorcycle helmet law couldn't come at a worse time. Motorcycle crash deaths in Missouri are on the rise. In 2008, there was a 13 percent increase in motorcycle fatalities from 93 in 2007 to 107. So, the statistics are there, and they are worth noting.

Those who favor relaxing or eliminating the state's helmet law, like the group [Freedom of Road Riders of Missouri](#), base their concerns on something much different. While they understand the risks of riding without a helmet, they also say there is no reason for government to step in and tell them what they can and cannot do on their own vehicles. This is the same argument that has been made about seat belts in cars and whether or not the government should require you to wear them. Honestly, this makes sense to me as well. I have no desire to be told what to do by a bunch of bureaucrats.

Governor Nixon seems to be waffling on his plans to sign or veto the bill. This may be the first time this governor of the state of "PR" will not be able to avoid a tough decision for Missouri.

To me, this is about individual liberty, but I understand the safety concerns. However, it is also about safety. I believe the core of the bill is necessary for riders, so they are not automatically blamed for an accident just because they were riding a motorcycle. And, while I understand the safety questions connected to not wearing a helmet, I also believe it is up to the person who passed a test to get a license to ride to make his or her own decisions about wearing a helmet.

Senator Stouffer serves the counties of Carroll, Chariton, Cooper, Howard, Lafayette, Macon, Ray, Saline, and a part of Clay.

If you have questions or comments about this or any other issue, please call toll free (866) 768-3987 or by

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