

How Safe is Your Motorcycle Helmet?

Every year, hundreds of thousands of helmets are introduced into the helmet markets of the U.S., and it has become big business to helmet retailers who claim their helmets are “DOT Approved”, yet there is no such thing as “DOT Approved” in fact or in law. The only use for the term is in product marketing. The NHTSA and DOT does not approve helmets. Many states require motorcycle operators and passengers to wear helmets compliant with federal standard FMVSS 218, but does that mean your helmet has been proven safe? Read this, then think about it!

FMVSS 218 is a set of tests which helmet manufacturers are supposedly required to conduct in order to “self-certify” motorcycle helmets introduced into the U.S. consumer market. The tests are costly, and destroy the product during the testing process. Helmets are primarily made in China, Taiwan, Japan, and other countries in order to reduce costs. There are many other ways to reduce costs, including the use of cheaper raw material. The helmets introduced into the U.S. are not tested by any federal agency before hitting the market. Publication of test results often lag about 10 months behind product introduction. The market is quickly saturated, whether the helmet is compliant or not.

FMVSS Test Results Summary

A summary of FMVSS 218 test results of motorcycle helmets shows that, in 1997, after failing an extremely high percentage of motorcycle helmets, the NHTSA lowered the number of helmets, which they randomly test each year, to just 40. The highest failure percentage was 75% in 1995, and this probably irked some helmet manufacturers who wanted to use “DOT Approved” in their marketing campaigns. After the reduction of test sampling to 40, the failure rates reached a low of just 30% in 2004. Random tests are conducted by laboratories contracted by the Office of Vehicle Safety Compliance for the NHTSA. The helmets are purchased from retail store shelves. Helmets range in price from about \$30 to a high of about \$700. Experts say higher priced helmets do not prove to be more safe.

FMVSS 218 Testing Results Summary

Year	# Tested	Pass	Fail	Performance	Label	Both	% Failure
1994	199	52	147	23	119	5	73.86
1995	168	42	126	21	100	5	75.00
1996	167	53	114	7	90	17	68.26
1997	41	22	19	8	6	5	46.34
1998	40	21	19	7	9	3	47.50
1999	40	24	16	6	7	3	40.00
2000	40	18	22	2	16	4	55.00
2001	40	23	17	4	9	4	42.50
2002	40	25	15	4	5	6	37.50
2003	40	19	21	7	11	3	52.50
2004	40	28	12	5	5	2	30.00
2005	40	23	17	5	10	2	42.50
2006	40	21	19	8	5	6	47.50
	935	371	564	107	392	65	60.32

NHTSA test results show that almost 4 times as many helmets fail due to product labeling rather than performance.

Does Your Helmet Comply with FMVSS 218 or other Regulatory Statutes in Your State?

You can see annual test results at <http://www.nhtsa.dot.gov/cars/testing/comply/fmvss218/> but there is nothing published by NHTSA which declares whether a passed or failed helmet should be considered “compliant” or “non-compliant” or approved / disapproved from a consumer / motorcyclist perspective. NHTSA has no authority over consumers or motorcyclists. The NHTSA has authority over manufacturers, distributors, importers, retailers, but is required to leave regulatory authority over the motorcycle operators up to each state. We think that is a good thing!

Yet, states referencing FMVSS 218 often rely on the existence of a DOT label on the back of helmets, and use that as an enforcement method! Such enforcement of a flawed standard which is not relevant to consumers and motorcyclists infringes on constitutional rights due to vagueness. **No List, No Law!**

Acknowledgment: This data was obtained from consumers in Massachusetts who analyzed NHTSA FMVSS 218 annual test results, and compiled it into a spreadsheet format. The data was then compiled by [Bikers USA](#) into this report, October 16, 2007.