

Bicycle helmet exemptions for patients with medical conditions.

A change to the Victorian Road Rules has been made which comes into effect on Monday 6 September 2021. This change applies to the Road Safety Road Rules – Regulation 256(4). This change will impact your existing practices around bicycle helmet exemptions.

What's changing?

Currently, a patient may present a VicRoads *Medical Report Form* to you and ask that you complete and sign the form which details their relevant medical history/conditions. The form asks that you answer an explicit question and give a yes/no answer on the patient's ability to wear a bicycle helmet. The patient submits the form to VicRoads who then issue a medical exemption card if the Medical Practitioner answers 'no' to the question around the ability of the patient to wear a bicycle helmet.

The change to the road rule will streamline this process, and allow a registered medical practitioner, with full knowledge of their patient's history, to issue a medical certificate which exempts the patient from the requirement to wear a helmet.

If a registered medical practitioner believes that because of a disability or medical condition a person is unable to wear a bicycle helmet, then an exemption certificate may be issued. This medical certificate must be carried by the person to whom it applies while riding on, or being taken as a passenger on, a bicycle. The certificate must be produced by the person when requested to do so by a police officer or authorised person.

When does the change come into effect?

Monday 6 September 2021.

Important Notes for Medical Practitioners

Helmet exemption applications should be taken very seriously due to the serious risks associated with not wearing a bicycle helmet, including increased risk of death or brain damage in the event of a crash.

It is important that when issuing a patient with a medical certificate exempting them from the requirement to wear a helmet, that you help the patient understand that there is an increased risk of head injury when cycling without a helmet.

Medical Certificate Particulars:

A medical certificate that is issued to exempt a person from the requirement to wear a bicycle helmet must state that **“because of a disability or medical condition, the person named in the certificate is unable to wear a bicycle helmet”.**

The certificate must also have an appropriate expiry date – particularly if the condition is short-term and not chronic.

The certificate should not detail the particulars of a person’s condition, merely that they are unable to wear a helmet because of it.

The certificate must state the full name and address of the person to whom it relates.

While the decision rests with the Registered Medical Practitioner as to what an appropriate medical condition would be, to warrant an exemption from wearing a helmet; the following information may be useful.

Medical Condition	
Hearing Aids/Bionic ears, skull protrusion, extra-large sized heads	These people will find it difficult, if not impossible to find a helmet that can fit appropriately on their heads. These people usually suffer from chronic medical conditions and could benefit from being issued with an exemption.
Past head trauma/operations/sensitivity/scar tissue etc	These people may also find it difficult to wear a helmet on their heads. Wearing a helmet may cause pain and sensitivity to them and hinder their ability to ride safely.
Skin conditions	People with skin conditions who may be concerned about the lack of sun protection that a bicycle helmet may offer, or that wearing a bicycle helmet may cause them to sweat and exacerbate their condition, may or may not be aware of the numerous products that are available on the market which can be worn both under and over

	helmets that are sweat and heat resistant and can provide UV protection.
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Bicycle Helmet Efficacy

The Australian Health Protection Principal Committee (AHPPC) has publicly made a statement supporting mandatory bicycle helmet laws. The full statement can be found here:

<https://www.vicroads.vic.gov.au/safety-and-road-rules/cyclist-safety/wearing-a-bicycle-helmet>

The AHPPC affirms the importance of mandatory bicycle helmet laws for all ages to help ensure a flow-on effect of high helmet wearing rates among children and adolescents, who take their cues from the behaviours of adults and the broader cultural context.

The AHPPC state that mandatory bicycle helmet laws are an important public health and road safety measure that should be maintained, and their protective benefits communicated with the community. The majority of states and territories have also accepted this evidence and have introduced mandatory bicycle helmet rules.

For interested practitioners, there is a significant body of evidence which supports the use of bicycle helmets in reducing road trauma. The following research papers provide evidence to support that bicycle helmets can reduce the incidence of brain injury and severity.

- A large Australian case-control study published in 2013 (n=6745 cyclist collisions), found a reduced risk of head injury for cyclists wearing a helmet was as high as 74% (Bambach, Mitchell, Grzebieta, & Olivier, 2013).
- The magnitude of the protective benefits of helmets has been measured by a comprehensive systematic review and meta-analysis presented at the 2015 Australasian Injury Prevention Network conference (Olivier & Creighton, 2015). This review found bicycle helmet use associated with a 35% odds reduction in head injury, a 64% odds reduction in serious head injury and 66% odds reduction for fatal head injury.
- Dinh et al., 2015; Mechanisms, injuries and helmet use in cyclists presenting to an inner-city emergency department
- A. S. McIntosh et al., 2013 Motorcycle Helmets: Head and Neck Dynamics in Helmeted and Unhelmeted Oblique Impacts.
- Olivier, Walter, & Grzebieta, 2013 Statistical Errors in Anti-Helmet Arguments

- Otte & Wiese, 2014 Influences on the Risk of Injury of Bicyclists' Heads and Benefits of Bicycle Helmets in Terms of Injury Avoidance and Reduction of Injury Severity
- Sethi et al., 2015 Bicycle helmets are highly protective against traumatic brain injury within a dense urban setting
- Yilmaz et al., 2013 Bicycle injuries and helmet use: a systematic review and meta-analysis