

Effective 5/6/2026

41-6a-1505 Motorcycle-- Protective headgear -- Closed cab excepted -- Electric assisted bicycles, motor assisted scooters, electric personal assistive mobility devices.

- (1) An individual under 21 years old may not operate or ride the following on a highway unless the individual is wearing protective headgear that complies with specifications adopted under Subsection (4):
 - (a) a motorcycle;
 - (b) an electric assisted bicycle;
 - (c) a motor assisted scooter;
 - (d) a high power electric device; or
 - (e) an auticycle that is not fully enclosed.
- (2) This section does not apply to an individual riding within an enclosed cab.
- (3) This section does not apply to an individual operating a class 1 electric assisted bicycle or a motor assisted scooter rented from a business or corporate entity.
- (4) The following standards and specifications for protective headgear are adopted:
 - (a) 49 C.F.R. Sec. 571.218 related to protective headgear for motorcycles; and
 - (b) 16 C.F.R. Part 1203 related to protective headgear for bicycles, motor assisted scooters, and electric personal assistive mobility devices.
- (5) A court shall waive \$8 of a fine charged to an individual operating a vehicle described in Subsection (1) for a moving traffic violation if the individual was:
 - (a) 21 years old or older at the time of operation; and
 - (b) wearing protective headgear that complies with the specifications adopted under Subsection (4) at the time of operation.
- (6) The failure to wear protective headgear:
 - (a) does not constitute contributory or comparative negligence on the part of an individual seeking recovery for injuries; and
 - (b) may not be introduced as evidence in any civil litigation on the issue of negligence, injuries, or the mitigation of damages.
- (7) Notwithstanding Subsection (5), a court may not waive \$8 of a fine charged to an individual operating a motorcycle for a driving under the influence violation of Section 41-6a-502.
- (8)
 - (a) A violation of this section is an infraction.
 - (b) Upon conviction of a violation of this section, a court may not impose a fine exceeding:
 - (i) \$25 for an individual who violates this section while operating an electric assisted bicycle or a motor assisted scooter; and
 - (ii) \$110 for an individual who violates this section while operating a motorcycle or a high power electric device.

Amended by Chapter 334, 2026 General Session