

MOTORCYCLE HELMET LAW AMENDMENTS

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Neil A. Hansen

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Motor Vehicles Code by amending provisions relating to motorcycle operator protective headgear requirements.

Highlighted Provisions:

This bill:

- ▶ provides that a person may not operate or ride on a motorcycle or motor-driven cycle on a highway in this state unless the person is wearing protective headgear if:
 - another person under 21 years of age is also riding on the motorcycle or motor-driven cycle;
 - the operator of the motorcycle holds a motorcycle learner permit; or
 - the motorcycle is being operated within the city limits of a city of the first, second, or third class with an exception;
- ▶ provides that a person under 21 years of a age, rather than 18 years of age, may not operate or ride on a motorcycle or motor-driven cycle on a highway in this state unless the person is wearing:
 - protective headgear with a continuous solid chin bar; and
 - protective glasses, goggles, or a transparent face shield unless the motorcycle or motor-driven cycle is equipped with a protective windshield;
- ▶ grants the Department of Public Safety rulemaking authority to establish standards for approved protective headgear, glasses, goggles, or transparent face shields; and



28 ▶ makes technical changes.

29 **Monies Appropriated in this Bill:**

30 None

31 **Other Special Clauses:**

32 None

33 **Utah Code Sections Affected:**

34 AMENDS:

35 **41-6a-1505**, as last amended by Laws of Utah 2007, Chapter 86



37 *Be it enacted by the Legislature of the state of Utah:*

38 Section 1. Section **41-6a-1505** is amended to read:

39 **41-6a-1505. Motorcycle or motor-driven cycle -- Protective headgear -- Closed**
40 **cab excepted -- Electric assisted bicycles, motor assisted scooters, electric personal**
41 **assistive mobility devices.**

42 (1) (a) Except as provided in Subsection (1)(b), a person may not operate or ride on a
43 motorcycle or motor-driven cycle on a highway in this state unless the person is wearing
44 protective headgear that complies with the specifications adopted under Subsection (4) if:

45 (i) another person under 21 years of age is also riding on the motorcycle or
46 motor-driven cycle as the operator or a passenger;

47 (ii) the operator of the motorcycle holds a motorcycle learner permit issued in
48 accordance with Section 53-3-210.6; or

49 (iii) the motorcycle is being operated within the city limits of a city of the first, second,
50 or third class.

51 (b) The requirement under Subsection (1)(a)(iii) to wear protective headgear while
52 operating a motorcycle or motor-driven cycle within the city limits of a city of the first, second,
53 or third class does not apply if:

54 (i) the operator is traveling on an interstate highway passing through a city described in
55 Subsection (1)(a)(iii); and

56 (ii) the operator does not exit the interstate highway within the city limits of a city
57 described in Subsection (1)(a)(iii).

58 [+] (2) A person under the age of [18] 21 may not operate or ride on a motorcycle or

59 motor-driven cycle on a highway unless the person is wearing:
60 (a) protective headgear which complies with specifications adopted under Subsection
61 ~~[(3)]~~ (4) and has a continuous solid chin bar; and

62 (b) protective glasses, goggles, or a transparent face shield of a type approved by the
63 department unless the motorcycle or motor-driven cycle is equipped with a protective
64 windshield.

65 ~~[(2)]~~ (3) This section does not apply to persons riding within an enclosed cab.

66 ~~[(3)]~~ (4) The following standards and specifications for protective headgear are
67 adopted:

68 (a) 49 C.F.R. 571.218 related to protective headgear for motorcycles; and

69 (b) 49 C.F.R. 1203 related to protective headgear for bicycles, motor assisted scooters,
70 and electric personal assistive mobility devices.

71 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
72 department shall make rules establishing standards for approved:

73 (a) protective headgear required under this section; and

74 (b) protective glasses, goggles, or a transparent face shield required under Subsection
75 (2)(b).

Legislative Review Note
as of 1-6-09 8:58 AM

Office of Legislative Research and General Counsel

H.B. 158 - Motorcycle Helmet Law Amendments

Fiscal Note

2009 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
