



HOUSE BILL 267: Require Safety Helmets/Under 21.

2019-2020 General Assembly

Committee:	House Transportation. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 9, 2019
Introduced by:	Rep. Torbett	Prepared by:	Wendy Ray
Analysis of:	PCS to First Edition H267-CSSUf-15		Staff Attorney

OVERVIEW: House Bill 267 would allow operators of motorcycles and passengers to ride without helmets under certain circumstances and would eliminate court costs for violations of the helmet requirement.

The PCS reduces the penalty for violation from \$25.50 to an even \$25.00 and extends the effective date to December 1, 2019.

CURRENT LAW: It is unlawful for a person to operate a motorcycle or moped upon a highway or public vehicular area unless the operator and all passengers are wearing helmets. A violation of the helmet requirement is an infraction with a penalty of \$25.50 plus court costs.

BILL ANALYSIS: The PCS for House Bill 267 would create exceptions to the helmet requirement for some operators of motorcycles and passengers riding on motorcycles.

Operators. An operator, 21 years of age or older, would not be required to wear a helmet if the operator has either:

- Held a motorcycle license or endorsement for more than 12 months; or
- Successfully completed a Motorcycle Safety Instruction Program course or its equivalent as determined by the Commissioner.

Passengers. A passenger, 21 years of age or older, would not be required to wear a helmet if the operator meets the above requirements.

Penalty for a Violation. A person that commits a violation of the helmet requirement would be guilty of an infraction, punishable by a fine of \$25, but would not have to pay court costs.

EFFECTIVE DATE: The act would become effective December 1, 2019, and would apply to violations occurring on or after that date.

BACKGROUND: North Carolina is currently one of 19 states that have a universal helmet law requiring all riders to wear a helmet. Three states require no helmet use for motorcycles, and 28 states have partial laws requiring only some riders to wear helmets.

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