



SENATE BILL 321: Motorcycles/Face Masks.

**This Bill Analysis
reflects the contents
of the bill as it was
presented in
committee.**

2019-2020 General Assembly

Committee:	Senate Judiciary. If favorable, re-refer to Rules and Operations of the Senate	Date:	April 17, 2019
Introduced by:	Sen. T. Alexander	Prepared by:	Shawn Middlebrooks Staff Attorney
Analysis of:	PCS to First Edition S321-CSBQ-13		

OVERVIEW: The Proposed Committee Substitute (PCS) to Senate Bill 321 would:

- Amend G.S. 14-12.11 to allow a person to wear a mask while operating a motorcycle, and require the person to remove the mask when approached by law enforcement.
- Make technical and conforming changes.

[As introduced, this bill was identical to H257, as introduced by Rep. Bumgardner, which is currently in Senate Rules and Operations of the Senate.]

CURRENT LAW: State law prohibits a person from wearing a mask, hood, or other device, to conceal the identity of the wearer, upon any of the following:

- Lane, walkway, alleyway, street, road, highway, or public way in the State. **G.S. 14-12.7.***
- Public property of any municipality or county of the State, or of the State of North Carolina. **G.S. 14-12.8.**
- Premise, enclosure or house of another person. **G.S. 14-12.9.***
- Meeting or demonstration on private property, except by written permission of the owner or occupant. **G.S. 14-12.10.***
- While placing an exhibit at any place in the State for purpose of intimidating another person, preventing a lawful act, or causing an unlawful act. **G.S. 14-12.14.**

Exceptions. – A mask may be worn for the holiday season; employment purposes; theatrical productions; defense drills, exercises, or emergencies; or as part of a parade, ritual, initiation, ceremony, or celebration requirement of a society, order or organization. **G.S. 14-12.11.**

BILL ANALYSIS: The PCS to Senate Bill 321 would:

- Allow a person to wear a mask for the purpose of protecting the person's head or face when operating a motorcycle, and require the person to remove the mask when approached by a law enforcement officer.
- Make technical and conforming changes for purposes of modernizing G.S. 14-12.11.

EFFECTIVE DATE: This act is effective December 1, 2019, and applies to offenses committed on or after that date.

* Does not apply to persons under the age of 16.

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