

Senate Study Bill 54

Conference Committee Text

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1 1 Section 1. NEW SECTION. 321.444A HELMETS.
1 2 1. A motorcycle or motorized bicycle shall not be operated
1 3 upon a highway unless the person who is operating or riding
1 4 the motorcycle or motorized bicycle is wearing protective
1 5 headgear which complies with standards and specifications
1 6 established under 49 C.F.R. } 571.218. For purposes of this
1 7 section, "wearing protective headgear" means having a safety
1 8 helmet on the person's head that is fastened with the helmet
1 9 straps and that is of a size that fits the person's head
1 10 securely without excessive lateral or vertical movement.
1 11 2. A person shall not possess for the purpose of sale,
1 12 offer for sale, or sell protective headgear for use by a
1 13 person operating or riding a motorcycle or motorized bicycle
1 14 unless the protective headgear meets the standards and
1 15 specifications required under this section.
1 16 Sec. 2. Section 805.8, subsection 2, paragraph e, Code
1 17 1995, is amended to read as follows:
1 18 e. For improperly used or nonused or defective or improper
1 19 equipment under sections 321.383, 321.384, 321.385, 321.386,
1 20 321.398, 321.402, 321.403, 321.404, 321.409, 321.419, 321.420,
1 21 321.423, 321.430, and 321.433, the scheduled fine is twenty
1 22 dollars. For failing to wear protective headgear as required
1 23 under section 321.444A, the scheduled fine is fifty dollars
1 24 for an operator and twenty-five dollars for a passenger.
1 25 EXPLANATION
1 26 Section 321.444A is created in this bill. The section
1 27 requires persons who are riding a motorcycle or motorized
1 28 bicycle on the highway to wear protective headgear.
1 29 The section also prohibits a person from possessing for
1 30 sale, offering for sale, or selling protective headgear which
1 31 does not meet federal standards and specifications. A person
1 32 who does so may be charged with a simple misdemeanor which is
1 33 punishable by a fine of at least \$50 but no more than \$100 or
1 34 up to 30 days' imprisonment.
1 35 Section 805.8 is amended to provide a scheduled fine for
2 1 failure to wear protective headgear of \$50 for the operator
2 2 and \$25 for the passenger.
2 3 LSB 1850SC 76
2 4 js/sc/14