

House File 465 - Introduced

HOUSE FILE _____
BY FORD

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring the use of helmets by motorcycle and motorized
2 bicycle operators and passengers under eighteen years of age
3 and providing a penalty.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2246HH 82
6 dea/es/88

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1 1 Section 1. Section 321.210, subsection 2, Code 2007, is
1 2 amended by adding the following new paragraph:
1 3 NEW PARAGRAPH. e. Violations of motorcycle helmet
1 4 requirements under section 321.447.
1 5 Sec. 2. NEW SECTION. 321.447 PERSONS UNDER AGE EIGHTEEN
1 6 == MOTORCYCLE HELMET REQUIRED.
1 7 1. A person under eighteen years of age who is operating a
1 8 motorcycle or motorized bicycle or who is being transported on
1 9 a motorcycle or motorized bicycle shall wear a properly
1 10 adjusted and fastened motorcycle helmet any time the vehicle
1 11 is in motion on a street or highway. For purposes of this
1 12 section, "motorcycle helmet" means a helmet that complies with
1 13 the standards and specifications established under 49 C.F.R. }
1 14 571.218.
1 15 2. The operator and passenger may each be charged
1 16 separately for a violation of this section. A person who
1 17 violates this section commits a simple misdemeanor punishable
1 18 as a scheduled violation under section 805.8A, subsection 14,
1 19 paragraph "c".
1 20 Sec. 3. Section 321.555, subsection 2, Code 2007, is
1 21 amended to read as follows:
1 22 2. Six or more of any separate and distinct offenses
1 23 within a two-year period in the operation of a motor vehicle,
1 24 which are required to be reported to the department by section
1 25 321.491 or chapter 321C, except equipment violations, parking
1 26 violations as defined in section 321.210, violations of
1 27 registration laws, violations of sections 321.445, and
1 28 321.446, and 321.447, operating a vehicle with an expired
1 29 license or permit, failure to appear, weights and measures
1 30 violations, and speeding violations of less than fifteen miles
1 31 per hour over the legal speed limit.
1 32 Sec. 4. Section 805.8A, subsection 14, paragraph c, Code
1 33 2007, is amended to read as follows:
1 34 c. SEAT BELT, OR RESTRAINT, OR HELMET VIOLATIONS. For
1 35 violations under sections 321.445, and 321.446, and 321.447,
2 1 the scheduled fine is twenty-five dollars.

EXPLANATION

2 3 This bill requires that a person under eighteen years of
2 4 age shall wear a properly adjusted and fastened motorcycle
2 5 helmet when operating or being transported on a motorcycle or
2 6 motorized bicycle. The helmet must comply with federal
2 7 standards and specifications for motorcycle helmets.
2 8 A violation of the helmet requirement is a simple
2 9 misdemeanor punishable by a scheduled fine of \$25. The
2 10 operator of the motorcycle or motorized bicycle and the
2 11 passenger may each be charged separately with a violation.
2 12 However, violations of helmet requirements may not be taken
2 13 into account for purposes of determining a person to be a
2 14 habitual violator of traffic laws subject to administrative
2 15 suspension of a driver's license. These penalty provisions
2 16 mirror existing law pertaining to the use of seat belts and
2 17 child restraint devices.
2 18 LSB 2246HH 82
2 19 dea:nh/es/88

