

Senate File 96 - Introduced

SENATE FILE 96

BY KINNEY and DVORSKY

A BILL FOR

1 An Act requiring minors to wear helmets while riding
2 motorcycles, motorized bicycles, and all-terrain vehicles,
3 and providing penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.275, Code 2017, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 9. *Helmets required for minors.*

4 a. A person under eighteen years of age shall not operate
5 a motorcycle or motorized bicycle on the highways unless the
6 person is wearing a safety helmet.

7 b. A person shall not operate a motorcycle or motorized
8 bicycle on the highways accompanied by a passenger under
9 eighteen years of age unless the passenger is wearing a safety
10 helmet.

11 c. For purposes of this subsection, "*wearing a safety*
12 *helmet*" means having a safety helmet that complies with the
13 standards and specifications established in 49 C.F.R. §571.218
14 on the person's head that is fastened with the helmet straps
15 and that is of a size that fits the person's head securely
16 without excessive lateral or vertical movement. The department
17 shall adopt rules establishing guidelines for approved safety
18 helmets and shall maintain and publish a list of approved
19 safety helmets. The list need not be inclusive.

20 Sec. 2. NEW SECTION. 321I.21A **Minors under eighteen —**
21 **helmets required.**

22 1. A person under eighteen years of age shall not operate
23 an all-terrain vehicle, including an off-road motorcycle, on
24 a designated riding area or designated riding trail or on
25 public land or public ice unless the person is wearing a safety
26 helmet.

27 2. A person shall not operate an all-terrain vehicle,
28 including an off-road motorcycle, on a designated riding area
29 or designated riding trail or on public land or public ice
30 accompanied by a passenger under eighteen years of age unless
31 the passenger is wearing a safety helmet.

32 3. For purposes of this section, "*wearing a safety helmet*"
33 means as defined in section 321.275.

34 Sec. 3. Section 805.8A, subsection 6, paragraph b, Code
35 2017, is amended to read as follows:

1 *b.* Section 321.275, subsections 1
2 through 7 and 9.....\$ 35.

3 Sec. 4. Section 805.8B, subsection 2A, Code 2017, is amended
4 by adding the following new paragraph:

5 NEW PARAGRAPH. *Oh.* For violations of section 321I.21A, the
6 scheduled fine is thirty-five dollars.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 This bill prohibits a person under 18 years of age from
11 operating a motorcycle or motorized bicycle on the highways
12 unless the person is wearing a safety helmet. The bill also
13 prohibits any person from operating a motorcycle or motorized
14 bicycle on the highways accompanied by a passenger under 18
15 years of age unless the passenger is wearing a safety helmet.
16 The bill provides that a violation of these provisions is a
17 simple misdemeanor punishable by a scheduled fine of \$35.

18 In addition, the bill prohibits a person under 18 years
19 of age from operating an all-terrain vehicle, including an
20 off-road motorcycle, on a designated riding area or designated
21 riding trail or on public land or public ice unless the person
22 is wearing a safety helmet. The bill also prohibits any
23 person from operating an all-terrain vehicle, including an
24 off-road motorcycle, on a designated riding area or designated
25 riding trail or on public land or public ice accompanied by a
26 passenger under 18 years of age unless the passenger is wearing
27 a safety helmet. The bill provides that a violation of these
28 provisions is a simple misdemeanor punishable by a scheduled
29 fine of \$35.

30 Under the bill, "wearing a safety helmet" means having
31 a safety helmet that complies with the standards and
32 specifications established in the Code of Federal Regulations
33 on the person's head that is fastened with the helmet straps
34 and that is of a size that fits the person's head securely
35 without excessive lateral or vertical movement.