

Senate File 210 - Introduced

SENATE FILE 210

BY BOLKCOM, GIDDENS, WAHLS,
TRONE GARRIOTT, JOCHUM, and
HOGG

A BILL FOR

1 An Act requiring minors to wear helmets while riding
2 motorcycles and motorized bicycles, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.275, Code 2021, 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 pursuant to chapter 17A establishing
18 guidelines for approved safety helmets and shall maintain and
19 publish a list of approved safety helmets. The list need not
20 be inclusive.

21 Sec. 2. Section 805.8A, subsection 6, paragraph b, Code
22 2021, is amended to read as follows:

23 b. Section 321.275, subsections ± 2
24 through 7 6, and 9..... \$ 50.

25 EXPLANATION

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

28 This bill prohibits a person under 18 years of age from
29 operating a motorcycle or motorized bicycle on the highways
30 unless the person is wearing a safety helmet. The bill also
31 prohibits any person from operating a motorcycle or motorized
32 bicycle on the highways accompanied by a passenger under 18
33 years of age unless the passenger is wearing a safety helmet.
34 The bill provides that a violation of these provisions is
35 punishable by a scheduled fine of \$50.

1 Under the bill, "wearing a safety helmet" means having
2 a safety helmet that complies with the standards and
3 specifications established in the Code of Federal Regulations
4 on the person's head that is fastened with the helmet straps
5 and that is of a size that fits the person's head securely
6 without excessive lateral or vertical movement.

7 The bill updates the penalty provision to exclude references
8 to subsections in Code section 321.275 that are not compatible
9 with a penalty, including a statement that the motor vehicle
10 laws apply to the operators of motorcycles and motorized
11 bicycles and a statement that the provisions of Code section
12 321.275 do not apply to motorcycles or motorized bicycles when
13 used in a parade.