

1 H.721

2 Introduced by Representative Zagar of Barnard

3 Referred to Committee on

4 Date:

5 Subject:

6 Statement of purpose of bill as introduced: This bill proposes to amend the  
7 motorcycle helmet law to provide that a person 21 years of age or older is not  
8 required to wear a helmet if he or she is properly maintaining financial  
9 responsibility, has successfully completed an approved motorcycle safety  
10 course, and has had a valid motorcycle endorsement for at least three years,  
11 and to provide that the motorcycle helmet law is subject to secondary  
12 enforcement by law enforcement officers.

13 An act relating to motorcycle helmets

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 Sec. 1. 23 V.S.A. § 1256 is amended to read:

16 § 1256. MOTORCYCLES—~~HEADGEAR;~~ HELMETS

17 (a) ~~Except as provided in subsection (b) of this section, a person may~~  
18 shall not operate or ride upon a motorcycle ~~upon~~ on a highway unless he or she  
19 properly wears a protective headgear helmet securely fastened on his or her  
20 head of a type that conforms to the federal Motor Vehicle Safety Standards

1 contained in 49 C.F.R. ~~part~~ § 571.218 and any amendment or addition ~~to the~~  
2 ~~regulations~~ thereto that may be adopted by the U.S. Secretary of  
3 Transportation. The Commissioner shall make available a list of helmets that  
4 satisfy these standards and provide the list upon request.

5 (b) Subsection (a) of this section shall not apply to a person 21 years of age  
6 or older who is currently maintaining financial responsibility as required under  
7 section 800 of this title and who:

8 (1) has successfully completed a motorcycle safety course approved by  
9 the Commissioner or by the Motorcycle Safety Foundation; and

10 (2) has had a valid motorcycle endorsement for at least three years.

11 (c) This section may be enforced only if a law enforcement officer has  
12 detained the operator or rider for a suspected violation of another traffic law.

13 An operator or rider shall not be subject to a penalty under this section unless  
14 the operator or rider is required to pay a penalty for the primary violation.

15 Sec. 2. EFFECTIVE DATE

16 This act shall take effect on July 1, 2014.