

1 S.172

2 Introduced by Senators Benning, McAllister, McCormack, Rodgers, Starr, and
3 Zuckerman

4 Referred to Committee on

5 Date:

6 Subject: Motor vehicles; motorcycles; helmets

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

14 An act relating to motorcycle helmets

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

16 Sec. 1. LEGISLATIVE INTENT

17 The purpose of this act is to align Vermont's helmet law for adult
18 motorcyclists with the laws regarding adult motorcyclists of 31 other states,
19 while encouraging safety through rider education and promoting personal
20 responsibility.

1 Sec. 2. 23 V.S.A. § 1256 is amended to read:

2 § 1256. MOTORCYCLES—~~HEADGEAR~~ HELMETS

3 (a) ~~A~~ Except as provided in subsection (b) of this section, a person may
4 shall not operate or ride upon a motorcycle ~~upon~~ on a highway unless he or she
5 properly wears a protective ~~headgear~~ helmet securely fastened on his or her
6 head of a type that conforms to the federal Motor Vehicle Safety Standards
7 contained in 49 C.F.R. ~~part~~ § 571.218 and any amendment or addition ~~to the~~
8 ~~regulations~~ thereto that may be adopted by the U.S. Secretary of
9 Transportation. The Commissioner shall make available a list of helmets that
10 satisfy these standards and provide the list upon request.

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

14 (1) has successfully completed a motorcycle safety course approved by
15 the Commissioner or by the Motorcycle Safety Foundation; or

16 (2) has had a valid motorcycle endorsement for at least two years.

17 (c) This section may be enforced only if a law enforcement officer has
18 detained the operator or rider for a suspected violation of another traffic law.
19 An operator or rider shall not be subject to a penalty under this section unless
20 the operator or rider is required to pay a penalty for the primary violation.

1 Sec. 3. 23 V.S.A. § 1257 is amended to read:

2 § 1257. EYE OR FACE PROTECTION

3 If a motorcycle is not equipped with a windshield or screen, the operator of
4 the motorcycle shall wear either eye ~~glasses, goggles, protection~~ or a protective
5 face shield when operating the vehicle. The ~~glasses, goggles, eye protection~~ or
6 face shield shall have colorless lenses when the motorcycle is being operated
7 during the period of 30 minutes after sunset to 30 minutes before sunrise and at
8 any other time when, due to insufficient light or unfavorable atmospheric
9 conditions, persons and vehicles on the highway are not clearly discernible at a
10 distance of 500 feet ahead.

11 Sec. 4. EFFECTIVE DATE

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