

1 SB357
2 212288-1
3 By Senator Chambliss
4 RFD: Governmental Affairs
5 First Read: 30-MAR-21

SYNOPSIS: Existing law requires individuals riding a motorcycle or motor-driven cycle to wear protective headgear.

This bill would require the protective headgear to be equipped with reflective features for high visibility.

This bill would also require the Director of the Department of Public Safety to approve reflective features for use on motorcycle helmets.

A BILL
TO BE ENTITLED
AN ACT

Relating to motorcycles; to amend Section 32-5A-245, Code of Alabama 1975; to require protective headgear worn by a motorcyclist to be equipped with reflective features for high visibility; and to require the Director of the Department of Public Safety to approve reflective features for use on motorcycle helmets.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 32-5A-245, Code of Alabama 1975,
3 is amended to read as follows:

4 "§32-5A-245.

5 "(a) No person shall operate or ride upon a
6 motorcycle or motor-driven cycle unless he or she is wearing
7 protective headgear that is equipped with reflective features,
8 approved by the Director of the Department of Public Safety,
9 on both sides for high visibility and which otherwise complies
10 with standards established by Section 32-12-41.

11 "(b) No person shall operate or ride upon a
12 motorcycle or motor-driven cycle unless he or she is wearing
13 shoes.

14 "(c) This section shall not apply to persons riding
15 within an enclosed cab.

16 "(d) ~~The Director of Public Safety is hereby~~
17 ~~authorized to~~ director shall approve or disapprove protective
18 headgear and reflective features, and ~~to~~ issue and enforce
19 regulations establishing standards and specifications for the
20 approval thereof. ~~The Director of Public Safety~~ director shall
21 publish lists of all protective headgear which have been
22 approved by him or her.

23 "(e) No person shall knowingly permit or allow any
24 juvenile for whom he or she is a parent or guardian to operate
25 or ride upon a motorcycle or motor-driven cycle while not
26 wearing a protective helmet of the kind ~~authorized by Section~~
27 ~~32-12-41~~ described in subsection (a).

1 "(f) No person shall knowingly permit or allow any
2 juvenile for whom he or she is a parent or guardian to operate
3 or ride upon a motorcycle or motor-driven cycle while not
4 wearing shoes.

5 "(g) No manufacturer, retailer, or other person
6 shall sell or offer for sale motorcycle helmets that fail to
7 comply with the standards established by the ~~Director of~~
8 ~~Public Safety~~ director pursuant to this section."

9 Section 2. This act shall become effective on the
10 first day of the third month following its passage and
11 approval by the Governor, or its otherwise becoming law.