

## LOST

1 Senator Brush of the 24<sup>th</sup> offered the following amendment:

2 Amend HB 678 by inserting on line 4 on page 1 immediately after the word and symbol  
3 "rules;" the following:

4 "to provide an exception from the protective head gear requirements for certain motorcycle  
5 operators;".

6 By redesignating Sections 3 through 5 as Sections 4 through 6, respectively.

7 By inserting between lines 22 and 23 on page 5 a new Section 3 to read as follows:

8 **"SECTION 3.**

9 Code Section 40-6-315 of the Official Code of Georgia Annotated, relating to headgear and  
10 eye-protective devices for riders of motorcycles, is amended by striking said Code section  
11 in its entirety and inserting in lieu thereof the following:

12 '40-6-315.

13 ~~(a) No person shall operate or ride upon a motorcycle unless he is wearing protective  
14 headgear which complies with standards established by the Board of Public Safety.~~

15 ~~(b) No person shall operate or ride upon a motorcycle if the motorcycle is not equipped  
16 with a windshield unless he is wearing an eye-protective device of a type approved by the  
17 Board of Public Safety.~~

18 ~~(c) This Code section shall not apply to persons riding within an enclosed cab or motorized  
19 cart. This Code section shall not apply to a person operating a three-wheeled motorcycle  
20 used only for agricultural purposes.~~

21 ~~(d) The Board of Public Safety is authorized to approve or disapprove protective headgear  
22 and eye-protective devices required in this Code section and to issue and enforce  
23 regulations establishing standards and specifications for the approval thereof. The Board  
24 of Public Safety shall publish lists of all protective headgear and eye-protective devices by  
25 name and type which have been approved by it.~~

26 (a) Except as otherwise provided in subsection (b) of this Code section, no person shall  
27 operate or ride upon a motorcycle unless the person is wearing protective headgear which  
28 conforms with the Federal Motor Vehicle Safety Standard 218 and those standards  
29 established by the commissioner of motor vehicle safety.

1 (b) A person 18 years of age or older who has met the following requirements may operate  
2 a motorcycle without wearing the protective headgear required by subsection (a) of this

3 Code section:

4 (1) Possessed a valid Class M motorcycle license for 12 months; or

5 (2) Completed the Motorcycle Safety Foundation Rider Education Course and possesses  
6 a valid Class M motorcycle license.

7 (c) Any person who rides as a passenger on a motorcycle shall wear protective headgear  
8 as prescribed by subsection (a) of this Code section unless he or she is 18 years of age or  
9 older and the operator of said motorcycle meets the requirements of subsection (b) of this  
10 Code section.

11 (d) No person shall operate or ride upon a motorcycle if the motorcycle is not equipped  
12 with a windshield unless he or she is wearing an eye-protective device which provides  
13 minimal requirements for motorcyclists' eye protection and meets the criteria established  
14 by Rule 570-12-01 issued by the commissioner.

15 (e) This Code section shall not apply to persons riding within an enclosed cab or motorized  
16 cart. This Code section shall not apply to a person operating a three-wheeled motorcycle  
17 used only for agricultural purposes.

18 (f) A violation of this Code section shall not be a moving traffic violation for purposes of  
19 Code Section 40-5-57."