

House Bill 369

By: Representatives Hembree of the 67th, Franklin of the 43rd, Lane of the 158th, Day of the 163rd, Rogers of the 26th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 13 of Chapter 6 of Title 40 of the Official Code of Georgia
2 Annotated, relating to motorcycles, so as to exempt certain persons from the provisions
3 requiring operators or riders to use protective headgear; to provide for related matters; to
4 provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Part 2 of Article 13 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated,
8 relating to motorcycles, is amended by striking subsection (a) of Code Section 40-6-315,
9 relating to headgear and eye-protection devices for riders, and inserting in its place the
10 following:

11 "(a) No person shall operate or ride upon a motorcycle unless he or she is wearing
12 protective headgear which complies with standards established by the commissioner of
13 motor vehicle safety. This subsection shall not apply to:

14 (1) Any motorcycle operator who is 21 years of age or older and has completed a
15 motorcycle rider education course approved by the department or has held a motorcycle
16 operator's license for at least two years; or

17 (2) A rider or passenger of a motorcycle operator exempt from this subsection if the
18 passenger or rider is 21 years of age or older."

19 style="text-align:center">**SECTION 2.**

20 This Act shall become effective on July 1, 2005.

21 style="text-align:center">**SECTION 3.**

22 All laws and parts of laws in conflict with this Act are repealed.