

House Bill 875

By: Representatives Hembree of the 67th, Cox of the 102nd, Horne of the 71st, Powell of the 29th, and Franklin of the 43rd

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 **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-protective 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. If a motorcycle operator and any passenger is covered by an
14 insurance policy providing for at least \$10,000.00 in medical benefits for injuries incurred
15 as a result of a crash while operating or riding on a motorcycle, then this subsection shall
16 not apply to:

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

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

22 **SECTION 2.**

23 This Act shall become effective upon its approval by the Governor or upon its becoming law
24 without such approval.

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SECTION 3.

2 All laws and parts of laws in conflict with this Act are repealed.