

Senate Bill 409

By: Senators Thomas of the 2nd, Mullis of the 53rd, Powell of the 23rd and Tarver of the 22nd

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 revising subsection (a) of Code Section 40-6-315,  
9 relating to headgear and eye-protective devices for riders, as follows:

10 "(a) No person shall operate or ride upon a motorcycle unless he or she is wearing  
11 protective headgear which complies with standards established by the commissioner of  
12 public safety. If a motorcycle operator and any passenger are covered by an insurance  
13 policy providing for at least \$10,000.00 in medical benefits for injuries incurred as a result  
14 of a crash while operating or riding on a motorcycle, then this subsection shall not apply  
15 to:

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

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

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

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

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**SECTION 3.**

2 All laws and parts of laws in conflict with this Act are repealed.