

HB 6009

2017

1 A bill to be entitled  
2 An act relating to motorcycle safety; amending s.  
3 316.211, F.S.; deleting provisions authorizing certain  
4 persons over 21 years of age to operate or ride upon a  
5 motorcycle without wearing protective headgear;  
6 providing penalties; providing an effective date.

7  
8 Be It Enacted by the Legislature of the State of Florida:

9  
10 Section 1. Subsection (3) of section 316.211, Florida  
11 Statutes, is amended to read:

12 316.211 Equipment for motorcycle and moped riders.—

13 (3) ~~(a)~~ This section does not apply to persons riding  
14 within an enclosed cab or to any person 16 years of age or older  
15 who is operating or riding upon a motorcycle powered by a motor  
16 with a displacement of 50 cubic centimeters or less or is rated  
17 not in excess of 2 brake horsepower and which is not capable of  
18 propelling such motorcycle at a speed greater than 30 miles per  
19 hour on level ground.

20 ~~(b) Notwithstanding subsection (1), a person over 21 years~~  
21 ~~of age may operate or ride upon a motorcycle without wearing~~  
22 ~~protective headgear securely fastened upon his or her head if~~  
23 ~~such person is covered by an insurance policy providing for at~~  
24 ~~least \$10,000 in medical benefits for injuries incurred as a~~  
25 ~~result of a crash while operating or riding on a motorcycle.~~

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26           (7) A violation of this section is a noncriminal traffic  
27     infraction, punishable as a nonmoving violation as provided in  
28     chapter 318.

29           Section 2. This act shall take effect July 1, 2017.