
SENATE BILL NO. 177—SENATORS GUSTAVSON, HALSETH;
CEGAVSKE, LEE, MANENDO, ROBERSON AND SETTELMAYER

FEBRUARY 17, 2011

JOINT SPONSORS: ASSEMBLYMEN ELLISON; GOEDHART,
HAMBRICK, KIRKPATRICK AND MCARTHUR

Referred to Committee on Transportation

SUMMARY—Revises provisions governing the wearing of protective headgear when operating motorcycles. (BDR 43-571)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to motorcycles; revising provisions governing the wearing of protective headgear when operating motorcycles under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law defines a motorcycle to mean a motor vehicle equipped with a seat
2 or a saddle to travel on not more than three wheels, specifically excluding an
3 electric bicycle, a tractor and a moped. (NRS 486.041) Existing law requires drivers
4 and passengers of motorcycles that are driven on a highway to wear protective
5 headgear and exempts drivers and passengers of trimobiles and mopeds from the
6 requirement. (NRS 486.231) This bill eliminates the requirement of wearing
7 protective headgear for drivers of motorcycles who: (1) are 21 years of age or
8 older; (2) have possessed a valid motorcycle license for not less than 1 year; and (3)
9 have completed an approved motorcycle safety course. This bill also removes the
10 exception from these requirements concerning protective headgear for trimobiles
11 and mopeds. Finally, this bill eliminates the requirement of wearing protective
12 headgear for a passenger of a motorcycle who is 21 years of age or older.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 486.231 is hereby amended to read as follows:
2 486.231 1. The Department shall adopt standards for
3 protective headgear and protective glasses, goggles or face shields
4 to be worn by the drivers and passengers of motorcycles and
5 transparent windscreens for motorcycles.

6 2. Except as *otherwise* provided in this section, when any
7 motorcycle ~~[, except a trimobile or moped,]~~ is being driven on a
8 highway ~~[,]~~ :

9 (a) *The driver shall wear protective headgear which meets the*
10 *standards adopted pursuant to subsection 1 and is securely*
11 *fastened on his or her head, unless the driver:*

12 (1) *Is 21 years of age or older;*

13 (2) *Has been licensed to operate a motorcycle for not less*
14 *than 1 year; and*

15 (3) *Has completed a course of instruction on motorcycle*
16 *safety that has been approved pursuant to NRS 486.372.*

17 (b) *A passenger of a motorcycle shall wear protective headgear*
18 *which meets the standards adopted pursuant to subsection 1 and is*
19 *securely fastened on his or her head, unless the passenger is 21*
20 *years of age or older.*

21 (c) *Both the driver and passenger shall wear* ~~[protective~~
22 ~~headgear securely fastened on the head and]~~ *protective glasses,*
23 *goggles or face shields* ~~[meeting those standards. Drivers and~~
24 ~~passengers of trimobiles shall wear protective glasses, goggles or~~
25 ~~face shields]~~ *which meet* ~~[those]~~ *the standards* ~~[.]~~ *adopted pursuant*
26 *to subsection 1.*

27 3. When a motorcycle ~~[or a trimobile]~~ is equipped with a
28 transparent windscreen ~~[meeting those standards,]~~ *which meets the*
29 *standards adopted pursuant to subsection 1,* the driver and
30 passenger are not required to wear *protective* glasses, goggles or
31 face shields.

32 4. When a motorcycle is being driven in a parade authorized by
33 a local authority, the driver and passenger are not required to wear
34 the protective devices provided for in this section.

35 5. When a three-wheel motorcycle on which the driver and
36 passengers ride within an enclosed cab is being driven on a
37 highway, the driver and passengers are not required to wear the
38 protective devices required by this section.

