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SENATE BILL NO. 151—SENATORS BEERS, CEGAVSKE, AMODEI,  
HARDY, LEE, MCGINNESS, TIFFANY AND WASHINGTON

MARCH 1, 2005

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JOINT SPONSORS: ASSEMBLYMEN GIUNCHIGLIANI, SHERER, ANGLE,  
CARPENTER, CONKLIN, HOLCOMB, MORTENSON AND  
MUNFORD

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Referred to Committee on Transportation and Homeland Security

SUMMARY—Revises provisions governing wearing of protective  
headgear on motorcycles. (BDR 43-180)

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.

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

**Legislative Counsel’s Digest:**

- 1 Existing law requires a driver and passenger of a motorcycle, other than a
  - 2 trimobile, that is driven on a highway to wear protective headgear. In addition,
  - 3 existing law requires a driver and passenger of a motorcycle, including a trimobile,
  - 4 to wear protective glasses, goggles or face shields, unless it is equipped with a
  - 5 certain type of windscreen. Existing law requires the Department of Motor Vehicles
  - 6 to adopt standards for headgear, protective glasses, goggles and face shields.
  - 7 (NRS 486.231)
  - 8 This bill provides an exception from the requirement that the driver and
  - 9 passenger of a motorcycle wear protective headgear. A driver is not required to
  - 10 wear protective headgear if he is at least 21 years old, has been licensed to operate a
  - 11 motorcycle for at least 1 year and has completed a state-approved motorcycle safety
  - 12 course. A passenger is not required to wear protective headgear if he is at least 21
  - 13 years old.
  - 14 This bill also removes the exception for trimobiles from the requirements
  - 15 concerning protective headgear, thereby treating trimobiles in the same manner as
  - 16 other motorcycles with respect to those requirements.
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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 which is securely*  
11       *fastened on his head, unless he:*

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) *Any passenger shall wear protective headgear which meets*  
18       *the standards adopted pursuant to subsection 1 and which is*  
19       *securely fastened on his head, unless the passenger is 21 years of*  
20       *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 standards.]~~ *that meet the standards*  
26       *adopted pursuant to subsection 1.*

27       3. When a motorcycle ~~[or a trimobile]~~ is equipped with a  
28       transparent windscreen ~~[meeting those standards,]~~ *that 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.

