STATE OF NEW YORK

3004

2019-2020 Regular Sessions

IN ASSEMBLY

January 28, 2019

Introduced by M. of A. GANTT -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to motorcycle protective helmet safety standards

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 6 of section 381 of the vehicle and traffic law, as amended by chapter 471 of the laws of 1994, is amended to read as follows:

6. It shall be unlawful for any person to operate or ride upon a motorcycle unless he **or she** wears a protective helmet of a type which meets the requirements set forth in section 571.218 of the federal motor vehicle safety standards as may from time to time be amended **and that has been impact-tested by the United States department of transportation, the commissioner or by an independent laboratory approved by the commissioner**. The commissioner is hereby authorized and directed to adopt regulations for helmets which are consistent with the requirements as specified in section 571.218 of the federal motor vehicle safety standards as may from time to time be amended**, and for helmet impact-testing, consistent with this section**. The police authorities of a city, town or village may issue a permit exempting **up to ten** members of organizations sponsoring or conducting parades or other public exhibitions from the provisions of this subdivision while such members are participating in such parades or other public exhibitions.

§ 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD00748-01-9