

SENATE, No. 532

STATE OF NEW JERSEY

209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Senator LOUIS F. KOSCO

District 38 (Bergen)

Senator RAYMOND J. ZANE

District 3 (Salem, Cumberland and Gloucester)

SYNOPSIS

Exempts certain motorcycle operators from helmet law.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

An Act concerning traffic safety and amending P.L.1967, c.237.

Be It Enacted by the Senate and General Assembly of the State of New Jersey:

1. Section 6 of P.L.1967, c.237 (C.39:3-76.7) is amended to read as follows:

6. a. No person shall operate or ride upon a motorcycle unless he wears a securely fitted protective helmet of a size proper for that person and of a type approved by the director. Such a helmet must be equipped with either a neck or chin strap and be reflectorized on both sides thereof. The director is authorized and empowered to adopt rules and regulations covering the types of helmets and the specifications therefor and to establish and maintain a list of approved helmets which meet the specifications as established hereunder.

For the purposes of this section, motorcycle shall not include any three-wheeled motor vehicle equipped with a single cab with glazing enclosing the occupant, seats similar to those of a passenger vehicle or truck, seat belts and automotive steering.

The provisions of this subsection shall not apply to a person 21 years of age or older who: (1) has been licensed to operate a motorcycle for at least two years, or (2) has completed a motorcycle rider safety course approved by the director.

b. The director shall not assess motor vehicle points for the failure of a motorcycle operator or rider to wear a protective helmet.

(cf: P.L.1992, c.153, s.1)

2. (New section) a. During the first 18 months following the enactment of P.L. , c. (C.) (now pending before the Legislature as this bill), the director, in consultation with the Attorney General, shall conduct a study to determine the overall impact of this act. The study shall consider public safety issues including, but not limited to accidents, fatalities, injuries and such other health and safety issues as the director deems appropriate to evaluate fully the effect of P.L. , c. on the State.

b. A report of the study's findings and recommendations shall be submitted to the Governor, President of the Senate and Speaker of the General Assembly no later than 21 months after the enactment of P.L. , c. .

c. The director shall implement the recommendations contained in the report 60 days following the report's submission to the Governor and Legislature unless the recommendations, either all or in part, are disapproved each by the Senate and the General Assembly by passage of a concurrent resolution stating, in substance, that the Legislature does not favor the recommendations. If the recommendations are disapproved in part by concurrent resolution, the director shall implement those recommendations that are not disapproved.

3. This act shall take effect immediately.

STATEMENT

This bill exempts persons 21 years of age or older from the requirement that they wear a helmet when operating or riding a motorcycle if they have 1) been licensed to operate the motorcycle for at least two years or 2) completed a motorcycle rider safety course.

The bill also requires the director, in consultation with the Attorney General, to conduct a study during the first 18 months following enactment of the bill to determine its impact. The study is to consider public safety issues, including accidents, fatalities and injuries. A report of the study's findings and recommendations must be submitted to the Governor, the President of the Senate and the Speaker of the General Assembly no later than 21 months after the bill is enacted. The director is required to implement the report's recommendations within 60 days of its submission, provided the recommendations are not disapproved in a concurrent resolution by the Senate and the General Assembly.