
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 304 Session of
1994

INTRODUCED BY SURRA, VEON, LESCOVITZ, STABACK, JADLOWIEC, LYNCH,
BUNT, BOYES, WOGAN, MICOZZIE, SANTONI, S. H. SMITH,
D. W. SNYDER, ROBERTS, LAUB, WOZNIAK, HASAY, STURLA,
LAUGHLIN, PRESTON, LEH, DALEY AND McCALL, APRIL 18, 1994

REFERRED TO COMMITTEE ON RULES, APRIL 18, 1994

A RESOLUTION

1 Memorializing Congress to repeal those sections of a recently
2 passed Federal mandate requiring a percentage of Federal
3 highway funds to be transferred from states which do not
4 enact statutes requiring the use of helmets by motorcyclists.

5 WHEREAS, The 10th amendment to the United States
6 Constitution, part of the original Bill of Rights, reads as
7 follows, "The powers not delegated to the United States by the
8 Constitution, nor prohibited by it to the states, are reserved
9 to the states respectively, or to the people"; and

10 WHEREAS, The limits on Congress' authority to regulate states
11 activities, prescribed by the 10th amendment, have gradually
12 been eroded, and Federal mandates to the states which infringe
13 on these protected areas have become almost commonplace; and

14 WHEREAS, The regulation of traffic and motor vehicle safety
15 laws is constitutionally the province of state, not
16 congressional, authority; and

17 WHEREAS, A recently passed Federal mandate would require a
18 percentage of Federal highway funds to be transferred from

1 states which do not enact statutes requiring the use of helmets
2 by motorcyclists by October 1, 1994; and

3 WHEREAS, While the stated goals of such Federal mandates, to
4 reduce highway fatalities and injuries through increased use of
5 motorcycle helmets, is certainly praise worthy, it is the
6 opinion of this General Assembly that the passage of such
7 legislation by the United States Congress would be a blatant
8 transgression upon the states' regulatory authority under the
9 10th amendment; therefore be it

10 RESOLVED, That the House of Representatives of the
11 Commonwealth of Pennsylvania memorialize the United States
12 Congress to repeal those sections of the Federal mandate which
13 infringe upon the states' constitutional authority to regulate
14 traffic and motor vehicle safety within their respective
15 boundaries and, specifically, to refrain from mandating the
16 passage of state laws requiring the use of motorcycle helmets or
17 precluding their repeal; and be it further

18 RESOLVED, That copies of this resolution be transmitted to
19 the Speaker of the United States House of Representatives, the
20 President Pro Tempore of the United States Senate and to each
21 member of the Pennsylvania Congressional delegation, urging them
22 in the performance of their elected responsibilities to protect
23 and strengthen the position of the states in the Federal union,
24 avoid intrusion upon states prerogatives and afford protection
25 to the proper governing authorities of the states.