

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 43

Session of
1997

INTRODUCED BY BROWN, VEON, SURRA, LLOYD, JAROLIN, BARLEY,
DEMPSEY, GODSHALL, DeWEESE, LaGROTTA, FARGO, WOGAN, BROWNE,
GANNON, FEESE, M. COHEN, TRAVAGLIO, LYNCH, BOYES, READSHAW,
ARMSTRONG, LEH, TRUE, FLEAGLE, MICOZZIE, EGOLF, SHANER,
SCHULER, E. Z. TAYLOR, ROHRER, STERN, SATHER, B. SMITH,
McCALL, S. H. SMITH, STABACK, MILLER, HASAY, BOSCOLA, ROONEY,
HUTCHINSON, TRELLO, SANTONI, CASORIO, ROBERTS, BUNT, SAINATO,
STRITTMATTER, FICHTER, LAUGHLIN, STURLA, KENNEY, TANGRETTI,
SEYFERT, GIGLIOTTI AND DALLY, JANUARY 28, 1997

REFERRED TO COMMITTEE ON TRANSPORTATION, JANUARY 28, 1997

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for protective equipment for
3 motorcycle riders.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 3525 of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 3525. Protective equipment for motorcycle riders.

9 (a) Protective headgear.--Except as provided in subsection
10 (d), no person shall operate or ride upon a motorcycle or a
11 motor-driven cycle (other than a motorized pedalcycle) unless he
12 is wearing protective headgear which complies with standards
13 established by the department.

14 (b) Eye-protective devices.--Except as provided in
15 subsection (d), no person shall operate or ride upon a

1 motorcycle (other than a motorized pedalcycle) unless he is
2 wearing an eye-protective device of a type approved by the
3 department.

4 (c) Approval of equipment.--The department may approve or
5 disapprove protective headgear and eye-protective devices
6 required under this section and may issue and enforce
7 regulations establishing standards and specifications for the
8 approval of the headgear and devices. The department shall
9 publish lists of all protective headgear and eye-protective
10 devices by name and type which have been approved.

11 (d) Exception.--

12 (1) The provisions of subsections (a) and (b) shall not
13 apply to the operator or any occupant of a three-wheeled
14 motorcycle equipped with an enclosed cab. The provisions of
15 subsection (a) shall not apply to a person 21 years of age or
16 older who has been licensed to operate a motorcycle for not
17 less than two full calendar years or who has completed a
18 motorcycle rider safety course approved by the department or,
19 if licensed in another state, a course approved by the state
20 or the Motorcycle Safety Foundation. The provisions of
21 subsection (a) shall also not apply to the passenger of such
22 a person under this subsection qualifying for an exception if
23 the passenger is 21 years of age or older.

24 (2) The General Assembly hereby makes known its
25 intention to examine what, if any, fiscal implications may be
26 associated with uninsured, unhelmeted motorcycle operators
27 otherwise qualifying for the exception provided in this
28 subsection who incur differential uninsured medical costs
29 which may be uniquely attributed to this exception. If this
30 examination of fiscal implications associated with this

1 exception warrants further prerequisite insurance coverage
2 for persons qualifying for the exception, the General
3 Assembly recognizes its obligation to respond with subsequent
4 corrective amendments to this section.

5 Section 2. This act shall take effect in 60 days.