

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE BILL 107

Short Title: Motorcycle Safety Act.

(Public)

Sponsors: Representatives Baker, Hill, Church, McComas; Arnold, Barbee, Blust, Brubaker, Buchanan, Cansler, Cox, Crawford, Culp, Daughtry, Davis, Decker, Eddins, Ellis, Fitch, Gibson, Harrington, Hilton, Hunter, Johnson, Justus, McAllister, Mitchell, Morris, Preston, Rayfield, Setzer, Sexton, Sherrill, Shubert, Smith, Walend, Walker, West, G. Wilson, Womble, and Wright.

Referred to: Rules, Calendar, and Operations of the House.

February 14, 2001

A BILL TO BE ENTITLED

1 AN ACT TO MODIFY THE REQUIREMENT FOR THE USE OF HELMETS BY
2 OPERATORS AND PASSENGERS ON MOTORCYCLES AND TO ADJUST
3 THE FEE ON PRIVATE MOTORCYCLE REGISTRATIONS IN ORDER TO
4 PROVIDE ADDITIONAL FUNDS FOR THE MOTORCYCLE SAFETY
5 PROGRAM.
6

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 20-140.4(a) reads as rewritten:

9 "(a) No person shall operate a motorcycle or moped upon a highway or public
10 vehicular area:

11 (1) When the number of persons upon such motorcycle or moped,
12 including the operator, shall exceed the number of persons ~~which~~ that
13 it was designed to carry.

14 (2) Unless the operator and all passengers thereon wear safety helmets of a
15 type approved by the Commissioner of Motor ~~Vehicles.~~ Vehicles,
16 except that:

17 a. If the operator is 21 years of age or older and has had a
18 motorcycle license or a motorcycle endorsement for more than
19 12 months, then the operator may operate the motorcycle
20 without a helmet.

21 b. If the operator is allowed to operate a motorcycle without a
22 helmet, pursuant to subdivision a. of this subdivision and the

1 passenger is 21 years of age or older, then the passenger may
2 ride without a helmet."

3 **SECTION 2.** G.S. 20-87(6) is repealed.

4 **SECTION 3.** G.S. 20-87 is amended by adding a new subdivision to read:

5 "**§ 20-87. Passenger vehicle registration fees.**

6 These shall be paid to the Division annually, as of the first day of January, for the
7 registration and licensing of passenger vehicles, fees according to the following
8 classifications and schedules:

9 ...

10 (12) Private Motorcycles. – The fee on private passenger motorcycles shall
11 be fourteen dollars (\$14.00). When a motorcycle is equipped with an
12 additional form of device designed to transport persons or property, the
13 fee shall be twenty-one dollars (\$21.00). Five dollars (\$5.00) of the
14 fees collected pursuant to this subdivision shall be used, in addition to
15 any other funds appropriated for this purpose, to fund the Motorcycle
16 Safety Instruction Program established pursuant to G.S. 115D-72."

17 **SECTION 4.** This act becomes effective October 1, 2001.