



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
Second Regular Session

Senate: TTMC DP 4-3-0-0 | 3<sup>rd</sup> Read 16-12-2-0

House: TI DPA/SE 9-1-0-1

**SB 1680: ~~traffic violations; photo radar; penalties~~**

**NOW: minors; motorcycle helmets; citations**

**Sponsor: Senator Gowan, LD 19**

**House Engrossed**

## Overview

Permits a law enforcement officer to issue a citation for a violation of not wearing a protective helmet to an operator or passenger of a motorcycle, all-terrain vehicle or motor-driven cycle who is 16 or 17 years old.

## History

An operator or passenger of a motorcycle, all-terrain vehicle or motor-driven cycle who is under 18 years of age must wear a protective helmet on the operator's or passenger's head in an appropriate manner. The protective helmet must be safely secured while the operator or passenger is operating or riding on the motorcycle, all-terrain vehicle or motor-driven cycle. An operator of a motorcycle, all-terrain vehicle or motor-driven cycle must always wear protective glasses, goggles or a transparent face shield of a type approved by the Director of the Arizona Department of Transportation unless the motorcycle, all-terrain vehicle or motor-driven cycle is equipped with a protective windshield.

This requirement does not apply to electrically powered three-wheeled vehicles or three-wheeled vehicles on which the operator and passenger ride within an enclosed cab.

A motorcycle, all-terrain vehicle and motor-driven cycle must be equipped with a rearview mirror, seat and footrests for the operator. A motorcycle, all-terrain vehicle or motor-driven cycle operated with a passenger must be equipped with a seat and footrests for the passenger ([A.R.S. § 28-964](#)).

## Provisions

1. Allows a law enforcement officer to issue a citation for a violation of not wearing a protective helmet to an operator or passenger of a motorcycle, all-terrain vehicle or motor-driven cycle who is 16 or 17 years old and who has been issued a driver's license or permit. (Sec. 1)
2. Stipulates that an operator of a motorcycle, all-terrain vehicle or motor-driven cycle who is at least 18 may be issued a citation if either:
  - a) a passenger of a motorcycle, all-terrain vehicle or motor-driven cycle is under 18 years old and is not wearing a protective helmet; or
  - b) the operator or passenger of a motorcycle, all-terrain vehicle or motor-driven cycle is under 18 years old and is both:
    - i. not wearing a protective helmet; and

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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- ii. in the same group or party as the operator of the initial motorcycle, all-terrain vehicle or motor-driven cycle who is at least 18 years old. (Sec. 1)
- 3. Exempts from the requirement for wearing a protective helmet:
  - a) a motorcycle, all-terrain vehicle or motor-driven cycle that is a farm or agricultural vehicle if the operator or passenger is engaged in agricultural work;
  - b) a recreational off-highway vehicle that:
    - i. is designed primarily for recreational nonhighway all-terrain travel;
    - ii. is 80 or fewer inches in width;
    - iii. has an unladen weight of 2,500 pounds or less;
    - iv. travels on four or more nonhighway tires;
    - v. has a steering wheel for steering control;
    - vi. has a rollover protective structure;
    - vii. has an occupant retention system; and
  - c) a motorcycle, all-terrain or motor-driven cycle that is operated on private property. (Sec. 1)
- 4. Subjects a person to a civil penalty of \$100 or community service, for an initial violation of the requirement for wearing a protective helmet, if the person is 16 or 17 years of age at the time of the violation. (Sec. 1)