

HB 2328 -- CHILD PASSENGERS ON MOTORCYCLES AND MOTORTRICYCLES

SPONSOR: Lucas

Currently, every person under 26 years of age operating or riding as a passenger on any motorcycle must wear a helmet, but no person can be stopped, inspected, or detained solely to determine if they are complying with the requirement. A violation of this rule is an infraction with a maximum penalty not to exceed \$25.

This bill establishes "Calvin's Law". No person can allow any person under 10 years of age to ride as a passenger on a motorcycle or motortricycle unless the vehicle is equipped with a proper passenger seat and the child is able to place both feet on the passenger foot pegs, with an exception for physician-certified medical exemptions. Any passenger under 10 years of age must wear a helmet.

The bill allows police to stop a motorcycle if there is a reasonable basis to suspect that a violation involves a child passenger under 10 years of age. A violation that involves a child passenger under 10 years of age is an infraction with a maximum penalty not to exceed \$100.