

HCS HBs 2553, 1831 & 2328 -- CHILD PASSENGERS ON MOTORCYCLES AND  
MOTORTRICYCLES

SPONSOR: Miller

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing  
Committee on Transportation by a vote of 15 to 0.

The following is a summary of the House Committee Substitute for  
HBs 2553, 1831 & 2328.

Currently, no person can be stopped solely to enforce the  
requirement that individuals below the age of 26 must wear  
protective headgear on motorcycles and motortricycles. This bill  
allows a person to be stopped when there is a reasonable basis to  
suspect that a violation involves a child passenger under 10  
years of age. Such violations will be punishable as an  
infraction punishable by a fine of up to \$500.

This bill establishes "Calvin's Law".

As specified in the bill, no person operating a motorcycle or  
motortricycle may have a passenger under 10 years of age unless  
the motorcycle or motortricycle is equipped with a proper  
passenger seat, the seat has a seat back capable of providing  
reasonable support, the child occupies that seat and the child  
can place both feet on the passenger foot pegs, except when a  
licensed physician certifies a medical exemption.

Police may stop, inspect, or detain individuals solely to  
determine compliance with these rules, and any violation is  
punishable by a fine of up to \$50.

This bill has an effective date of January 1, 2027.

The following is a summary of the public testimony from the  
committee hearing. The testimony was based on the introduced  
version of the bill.

PROPONENTS: Supporters say that this provides commonsense safety  
requirements for children on motorcycles. This is necessary to  
protect kids. The bill is about prevention, reducing risk of  
serious injuries or worse, and giving families a greater peace of  
mind. We should all be able to agree on the importance of child  
safety. The bill doesn't need a high punishment and isn't about

inflicting severe penalties on parents; it just allows police officers to stop dangerous activity. We require children to use car seats and booster seats. Motorcycles do not have the same safety equipment. Children don't have the maturity, strength, or awareness to be passengers on motorcycles. This bill may help save another family from the devastating pain of losing a child. Wearing proper head gear improves survival rates in crashes. Children will have a greater chance of living if they are in an accident.

Testifying in person for the bill were Representative Miller; Missouri State Medical Association; and Arnie C. Dienoff.

OPPONENTS: Those who oppose the bill say that this is a raw, tragic, knee-jerk reaction. This is not a widely-seen issue on the road. There are not a lot of children on motorcycles. This came from a DUI accident and gives officers a chance to go fishing. Most riders are responsible adults asking the government to stay out of their lives. This discriminates against motorcyclists and short people. It will be difficult to prove the age of a child, as they do not carry identification. If they are required to prove their age in court, that adds an administrative burden. This could lead to other restrictions.

Testifying in person against the bill was Abate For Missouri.

OTHERS: Others testifying on the bill say there is not a way to tell the age of a child during a traffic stop. Proper passenger seats will need further definition to prevent confusion. A child being able to place their feet on foot pegs will not cause issues, as most can be moved. Stopping riders to determine compliance with the bill causes an issue related to personal freedoms.

Testifying in person on the bill was Joe Widmer, Freedom of The Road Riders, Inc..

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.