

SENATE NO. 2077

AN ACT RELATIVE TO THE HELMET LAW STANDARDS

*Be it enacted by the Senate and House of Representatives in General Court assembled,
And by the authority of the same, as follows:*

1 SECTION 1. Section 7 of Chapter 90 of the General Laws, as appearing in the 2004 Official
2 Edition, is hereby amended by adding the following words at the end of said paragraph:- In
3 accordance with the Federal laws as stated in Section 1392(d) of the National Traffic and Motor
4 Vehicle Safety Act of 1966, no citations or fines shall be issued to any motorcycle operator or
5 passenger who is wearing a helmet that may not be in conformity with protective headgear
6 standard set forth by the registrar unless (a) a determination of non-compliance for said helmet
7 model has been issued by the National Highway Transportation Safety Administration; (b) a
8 manufacturer recall of said helmet model has been issued because of non-compliance with
9 FMVSS 218; and (c) there is proof that the operator has actual knowledge of a determination of
10 non-conformity with federal standards and of a manufacturer recall of said helmet because of
11 non-compliance with the protective headgear standard set forth by the registrar.

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